DEMOCRACIES OF THE EAST

RADHAKAMAL MUKERJEE

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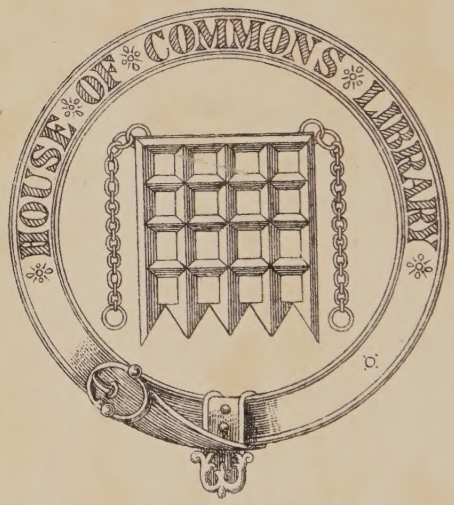

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DEMOCRACIES OF THE EAST

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DEMOCRACIES OF THE EAST

A Study in Comparative Politics

BY

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PREFACE.

A VERY vital factor in modern politics is the increasing recognition of the value of group allegiance. The nineteenth century has been an era of the expansion of the great European States, which could only have been possible as a result of an all-comprehensive centralisation. This was, therefore, the age of liberalism, in which the dogma of political sovereignty was elaborated internally and externally, and the concepts of order and progress analysed. It was also an age of the élite and the expert in government, which showed the world the advantages of centralised large-scale service. But the nineteenth-century politics also preached ideals of liberty and inaugurated liberal measures of education. These have borne fruit, and there is now witnessed a world-wide attempt to orient man's political life to larger and wider human values, and to organise the social community beyond the purely national State. This movement has been accelerated by the growing perception of the difficulty of articulating the attitude of the labouring classes in a polity whose framework was built by the propertied classes. From the colonies have also come the demand for autonomy, which alone could suit the regional and local peculiarities that could no longer be ignored. Thus there has been a demand for the adaptation of the forms of government to particular regions. Again, the war and the new international conscience which it has helped to evoke, have shown the moral limitations of a purely national territorial

State, though one of the phases of the war was the struggle to complete the nationalistic movement, resulting in the establishment of independent communities both in Europe and Asia, on the one hand, and, on the other, the closer welding together of self-governing colonies within a larger commonwealth. The State, newly conscious of its higher life and values, seeks to merge itself in the super-personal organism of Humanity, which now strives for expression in the League of Nations. With a free delegation of important powers and responsibilities to international bodies and commissions, the pre-eminence of the State ceases to be unique, and sovereignty becomes "composite" and "multiple." With the emergence of the idea of international solidarity the doctrine of the State as the very basis of social order and the ultimate expression of social cohesion recedes into the background. Meanwhile the economic life has developed a conflict of interests in different classes, which, as socialism has insisted, can no longer be mingled together by a facile doctrine of the unity of social purpose as embodied in the sovereign State. In political philosophy discussions thus no longer centre round the distinction between sovereign and subject, the limits of sovereignty, and the conditions of public law and order, but round the relations of the State not merely towards other social groups and interests, but also towards the Community of States, or, again, round the nature of social purposes and human values, in which the State lives and moves. The old controversy between rights and duties, law and liberty, which is another version of the Individual and the State as fixed and antithetical concepts, is now resolved in the emphasis on their mutual interaction, and on the vital process of association, which, indeed, makes the State and remakes the Individual. A group theory of rights, and a social conception of public law emerge, and we find a definite revision of the older theories of

sovereignty in the doctrine of the Pluralistic State.

In the political and international experiments and theories of this age we thus find a twofold movement: first, the break-up of the over-centralised government of the nineteenth-century mould by a new regionalism and administrative decentralisation. This induces not merely a new moral support of the small states and backward communities, but also of the depressed regions and provincial cities within the great states. Secondly, there is a growing recognition of the utility of the functional organisation of society and of the importance of functional considerations in the formation of the State. The two distinct movements agree in this, that they both seek to create as the basis of political control such a group as is complete and autonomous, and satisfies the larger and wider values of life so long disintegrated or repressed. And, indeed, behind the doctrine of colonial self-government, the rights of small states (and of backward regions), or the autonomy of natural political regions (or occupations and professions), there lies the same emphasis on the reality and exuberance of regional and group process as an indispensable requisite for a fuller realisation of culture and active citizenship than had been deemed possible under a system that thought only of compromise and absorption, "checks and balances," both in internal and in external relations, and established a mechanical uniformity of administration which is so dear to absolutism in all its guises.

In the light of these considerations the present problem in Eastern political theory and experiment has a world significance. In the first place, *Swaraj* in India, or self-determination in China or Japan, emphasises the newly-aroused respect for regional and local peculiarities, as imperial or imposed and exotic or borrowed laws and policies have proved to be too inflexible to adapt themselves to these conditions. The influences of Western political

theory and practice have run counter to the traditional system of government, while centralisation, proceeding from Delhi, Peking or Tokio, has ignored the varied physical and ethnic features of the different sub-continents and regions, which account largely for the rôle they have played in successive periods in political history, or in the development of their distinctive political habits and machinery. The solution for the poly-ethnic masses of Eastern Asia, like that of Eastern Europe after the war, lies in a thorough decentralisation, which, indeed, is the old Eastern tradition.[1] In the East the State has not been the only compulsory form of association, and hence it has not been universal. This is not much removed from the assumption of recent Western critics of the sovereign State. The Eastern civilisation has been essentially that of associations and regions, and their central historical cities, with their separate and inter-dependent life, a life varied and fruitful. Education in the East has taught the intellectual classes that efficiency in their local group affairs, and initiative and achievement city by city, region by region, are themselves a worthy ambition. And, indeed, the arts of living, health or government, morals or religion, can be oriented, and the peoples moulded to a single model in small communities more safely and quickly than in comparatively heterogeneous groups of regions and peoples. In the second place, federations of these indigenous self-governing bodies into larger units in the East never have been along a single line of group orientation, whether clan or caste, occupation or neighbourhood, as is often wrongly supposed. This has been due mainly to the fact that groups in the East are based more on natural instincts and feelings than

[1] For a clear account of Hindu politics, see B. K. Sarkar's *Political Institutions and Theories of the Hindus* and Mookerji's *Local Government in Ancient India*. These works, from the standpoint of ancient Eastern political theory, cover the same ground as the present work does from the modern standpoint.

on partial interests such as economic classes or political associations. And, indeed, groups in Eastern ethnic and social history have mingled more easily in an interweaving of interests and functions; no group grounds itself on mere economic or political function. In group formation the fewer the avenues through which a group seeks satisfaction, the greater is the tendency towards increase of size by fresh combination along a single line, and the more intense the struggle with other groups. On the other hand, the larger the ways of satisfaction in a group, the greater is the tendency to co-operate and interlock with other groups in evolving a united will, a genuine social purpose which satisfies the interests and values of all men. A more complex type of federalism than is known in the West, which combines in the system of government the institutions of areas and those of functions, and these varied and intermingling, is at once the cause and result of the variegated culture of the motley peoples of the East, her larger endowment with communal and synthetic instincts, and her greater organic and functional solidarity. This principle must be increasingly admitted, and carried out in practice, in order that racial and linguistic, cultural and occupational differences may be incorporated into the substance of the new polity. Thus will sectional and conflicting interests be fused and unified in the realisation of a true community-life in small groups at the bottom of the political fabric, which will be woven into a parti-coloured pattern by the interlocking of the warp and woof of functional and regional representation. Such a plan will not only supply a corrective to many of the schemes of regionalism and functionalism now familiar in the West, but will also change the character of representation from a mere administrative mechanism to a vital delegation and reciprocal responsibility between the individual and the electorate, preserving the reality of the primary groupings as

something more important than the efficiency of the political fabric itself. This will remedy the evils of party conflict and class cleavage and the loss of vitality of the electorate increasingly evident also in the East with the wholesale importation of Western institutions.

Thirdly, communalism in the East is not a new experiment but an old and established tradition in political pluralism. In its consonance with the natural and instinctive bases of group formation, it resolves that unfortunate dualism between the State and the Individual which had been the overgrowth of the mechanical State of the nineteenth century. In its ideal of the free choice of the individual in shaping the aims and policies of diverse autonomous groups local and functional to which he belongs, it rescues democracy from its identification with political democracy, which, indeed, is responsible for most of its failures in the West. It carries the State, as it were, on the wings of the Individual's desires and feelings to those humanistic ideals which the world associates with the East, and which will more and more govern the politics of the future.

Lastly, the diversity of group organisation and values which underlies the difference in the system of political control as between Eastern and Western communities shows that a comparative study of group formation and conflict is a great need of modern political science. For it is this which can correct the present partiality for the one straight line evolution in politics, and establish Comparative Politics on scientific foundations by giving us the essential criteria for the classification of political types. Human Geography and Social Anthropology will now appear as new allies of Political Science. The new psychology, including the psychology of race and of the unconscious which goes much deeper in the analysis of instincts and motives determining man's political attitude and habit, will replace the

facile, mythical, almost mystical, rationalism which is still the background of Political Science. Political Science will thus owe a new basis to Biology and comparative methods which, brought to bear with social psychology in considering the differentiation and development of cultural types, will show a marked difference in the vital and formative capacity of races. These articulate themselves through specific instincts and urges constituting the special gifts of a people—the hereditary basis upon which a people builds its political life and institutions. With the dawn of a new realism, the comparative and institutional treatment will give politics the firmer ground of a foundation in the actual nature of men than that furnished by a formal and vicious intellectualism, even as in political structure the sovereign State, barren and rigid, will be superseded by vital modes of association as supplying the sources and norms of political life and institutions.

My acknowledgments are due to Dr. Brajendranath Seal, Vice-Chancellor, Mysore University, for his suggestions as regards the scope and method of the work, and also to the Lucknow University, and, especially, to the Vice-Chancellor, Dr. G. N. Chakravarti, for generous encouragement given to my work. My thanks are due also to Mr. Dhurjatiprosad Mukerji, Lecturer in my Department, for valuable assistance in passing the final proofs, and to Mr. George Frankland for the Index.

RADHAKAMAL MUKERJEE.

LUCKNOW UNIVERSITY,
September, 1923.

FORECAST.

Lord Bryce, that profound student of Comparative Politics, expresses in his last work, *Modern Democracies*, the deliberate judgment that the social nature of man functions best in small communities. Safety is to be found in small numbers. Great empires are usually corrupt, and often fatal to that personal liberty which is the foundation of civilisation. Federal experiments and devolution of powers may go a certain way towards mitigating the dangers, but, according to the evidence, Liberty plumps for the small state, a Holland, or a Switzerland, or a New Zealand. This lends a rich significance to the political life of such countries of the East as China and India, which consist of myriads of small self-governing local or social units. The trend of political evolution in recent years emphasises that it is in these rather than in the institutions borrowed from the West that the real will of the people will revive in the near future. For most important is the practical consideration: "In the different environments and cultural conditions in which peoples are placed, by what political institutions and methods can they move most securely towards freer self-government?"[1] To the casual student of Eastern political institutions, it is apparent that the machinery of democracy imported from the West does not square with old habits and framework of our life, and the necessity of integrating our ancient and essential local and non-local groupings into the

[1] *The Nation and the Athæneum*, January 28, 1922.

substance of the new polity becomes self-evident. Self-government rests on the habit of co-operation, and if any existing local or social unit is fit to be turned into an organ of local self-government it ought to be so used. An attempt has been made here to show that in the East the possibilities of the autonomous communes are not confined to local and communal problems, and are consequently greater than is ordinarily supposed, and this in economic and political reconstruction alike. Thus we may evolve towards a wider and deeper political synthesis than at present is attempted. There has grown in the West a widespread dissatisfaction with the traditional institutions of representative government, and it is evident that many movements of thought as well as economic and political reform are contributing towards a more vital synthesis than had been deemed possible in the parliamentary government of the nineteenth-century mould, or its latest by-product, the centralised bureaucracy—a development of war conditions. It is an age of prolific economic theories and political schemes in which the present machinery of politics has been discredited and the general content of established ideals called into question ; it is comparable in this respect only with the period of the French Revolution. It was, above all, the effort of France in revolution which outlined the character of the modern State ; the new State also will arise out of the discontent and political upheavals consequent on the war. The time is ripe for new experiments, and already tentative efforts have been made in the writings of distinguished thinkers in Europe and America. The Russian Revolution, in spite of excesses, has been considered by many as marking a new discovery in State organisation. It is a peculiar coincidence that many of the ideals of the early Communards in Revolutionary France are to-day taking shape in the Russian political experiment,

though the influence of the latter has been far wider and deeper. From England and France, where it is encouraging "direct action" and the renascence of "natural constituencies" which would keep alive local creativeness, it has extended to Eastern Europe and Asia. And here the vision of a new species of popular sovereignty based on autonomous village communes has invested with a new significance the broken and devitalised relics of medieval organisation. To-day some of the medieval ideals are being revived in a new guise and hailed as novel political theories. In the reconstruction of Japan, China, and India, however, we find that many of the ideals and institutions which the West has outgrown are fashioning the new democracy. The materials of indigenous self-government are ignored, without being examined or sifted. This is encouraged by the prevailing notions in economics and politics which in their treatment of descriptive data or historical developments neglect or underrate Asian experiences and are apt to look upon European states as the norm and even the goal of evolution. Again, local government, which in Asia touches intimately and in detail the life of the people, has been very feeble in Western Europe owing to over-centralisation; it has thus received little attention, until lately, from political theorists. In the East, however, what is interwoven in our social tissue, evolving collective life in diverse and spontaneous popular groupings, is still ignored; and politics makes a false beginning in devoting itself to the study of central government, which among people in Asia in particular is far less significant.

The whole background of Asian communalism is the supremacy of the functional group.—From a broad standpoint it would appear that while the foundation of society in Western Europe is the dualism of the State and the Individual, that of Asian polity is the pluralism of the Group as an

intermediate body between the State and the individual units. The desire of each economic and functional group to render itself an autonomous unit is universal among Eastern communities. This has corresponded with the ethnic and social history of many countries which have left a great part of administration to semi-independent local and communal bodies without the superimposition of the State's authority or sanction. In political evolution these are prior to and independent of the State, and entrusted with the settlement of disputes, the maintenance of schools, temples, mosques, and public works, the relief of distress, the administration of a common fund, and even the protection of property: all this has achieved a degree of economic and political decentralisation, hardly to be found elsewhere. Not decentralisation conceded by a central government, but real decentralisation which reveals the growth of federalism. It is less connected with the fact that China and India form continents of villages than with the organic and functional solidarity of Asian society; from the guild-halls and platforms of their flourishing cities spring the same communal impulse and standards which organise and direct life in family or clan altar, the village shrine, or under the shade of the spreading banyan tree.

It accordingly becomes more than doubtful whether in the coming synthesis towards a communalistic polity in the East which such original and essential traditions of decentralisation involve, the sovereign State of the nineteenth-century West will not be superfluous. The development of centralised democratic control without any corresponding impetus to the essential democracy in local and communal life has everywhere made politics mechanical and barren; and, coming in the wake of the reforms in China and India, it has especially deprived politics of that life and soul which belong to things that are original and indigenous. A reorientation of communalism,

on the other hand, will recognise and correlate the unorganised functional and territorial groups which yet remain living social realities, and thus remake an historic framework. It will give a new impulse to the distinctively potent popular groupings in villages, towns, and larger divisions in a federation of local organisations which will be entrusted with the larger part of administration and legislation. A federal-communal representative system will thus avoid the struggle of classes in political life, the more so as in the East the classes are as yet undeveloped or at least do not coincide with the lines of social and economic cleavage. While unifying the effort of the State it will once again make possible the realisation of the older ideals of direct democracy in spite of the complexities of modern politics, and thus to a large extent obviate the unsatisfactory mechanism of delegated responsibility or representation. Thus its methods of reaching the goal will neither be revolutionary as in Russia nor circuitous and hesitating as in England and France. In recent years, the problem has become acute and practical in India on account of the rapid strides she has been making towards autonomous government ; but in China and Japan there has been far less speculation about the new synthesis. Yet it is significant that the direction in which democracy in the West is now travelling by decentralisation and direct government gives a new meaning to Eastern terms, and Comparative Politics will not only re-write in a large measure the political theory of the last generation, but will also inspire in future a far greater variety than we would like to imagine of political experiments in the light of regional and ethnic requirements.

Chinese communalism has been treated by many writers and with a due recognition of its antique worth. The system of local administration by the village gentry, guilds and other associations of China has been described by several foreign authors ; of

whom Williams, Hirth, Giles, and Morse are especially instructive. Leong and Tao's *Village and Town Life in China* or Sih-Gung Cheng's *Modern China* and Count Okuma's *Fifty Years of New Japan* or Mr. McGovern's *Modern Japan* are indispensable; but the political Europeanising of the intelligentia has stood in the way of a proper appraisal of the indigenous organisations. The experiments of monarchical Japan towards parliamentary and cabinet government and of republican China towards modern constitutionalism have met with reverses. In spite of the gradual Westernisation, the ancient, local and communal groupings, as well as the domestic and communal cults both in China and Japan, still retain their vitality. The deliberate attempts to force political systems and methods, which have been found not wholly successful in the West, and which are unsuited to the original and essential group organisation and traditions of the East, have thus caused a break in social and political life and made the future very uncertain in these countries. Japan has put an end to the time-honoured feudal system on a family basis and the institution of hereditary clansmen, and has set on the task of bringing the central administration in harmony with the German ideas of a constitutional *Reichstaat*. Both the bond of patron and protégé and the communal tie of the village community, however, still form the very essence of her social tissue, while the monarchy is far more deeply rooted in Japanese sentiment and in Japanese history than in the Western countries where the people have forcibly wrested constitutional privileges from the crown. Similarly the historical peculiarity of Chinese social conditions is without parallel in any other country. China is the least-governed country in the world: with a few exceptions, such as the payment of a nominal land-tax, the Chinese village is virtually independent of the imperial administration. She has now demo-

cratised the central government after the American model, but has not been able to adapt the new political experiment to the congeries of autonomous villages and voluntary associations which determine the political attitude of her people and still affect them in most important ways. Thus, though the new régime was conferred upon the people as a gift from above both in Japan and China, the superimposition of foreign models has not led to that unsettlement caused in the former country. Japan's tendency towards administrative centralisation, an outcome of her smallness of size and population as well as of foreign encroachment, has far more weakened the traditions of her local and communal government. Yet it is undeniable that the renewal of communalism to suit the larger needs of modern politics will be found far more life-giving in Japan and in China than the imitation of Western political methods based on a supposed superiority of type or ideal. The deeply-rooted local government system in Japan was overthrown at the time of the Restoration, but was set up again after a time when its necessity was felt anew. The *chocho* and *soncho*, the headman of a town and village respectively, who were publicly elected, have been entrusted with the management of communal affairs and carry on many useful works, while the assembly of the *gun* (subdivision of a province), a communal body superior in grade to the *cho* or the village, has important deliberative functions, and comes to be looked upon as a corporation. The difference between the *gun* or the prefecture and the city, the town or the village, as regards autonomy is characteristic of the new tendencies towards centralisation. In China, however, the new régime has not superseded the traditions and regulations of communal government; the villages and voluntary bodies and associations are still ordering social life peacefully, having perfect freedom of industry and trade, education and sanita-

tion, as well as regulation and protection. The paucity of government is characteristic not only of China but of South-East Asia, and the local and communal bodies are still instruments for the management of administrative affairs. Sometimes the land-owners enjoy independent rights and manage administrative affairs within their fiefs and manors, and thus they resemble the feudal nobility in Japan. Sometimes the clan and sometimes the village or occupational assembly manages all local affairs, and Chinese or Indian institutions find their prototypes. Again, shrines, temples and monasteries, which have vast numbers of people under their protection, sometimes exercise independent jurisdiction within their territories. The higher orders of men in most of the Buddhist countries regard marriage as a certain hindrance to political or ecclesiastical duties, and give themselves up entirely to these pursuits, remaining in celibacy and under strict discipline. They keep alive that tradition of decorum and self-restraint which is so conspicuous throughout the East Asiatic seaboard, and which subdues every relationship and action to the interests of moral order and social stability. In Western Asia, the mosques and *madresahs* serve to some extent the purposes of temples and monasteries of East Asia, and the guild of Ulamas corresponds to the guild of the intellectuals of the Chinese-Japanese type; the institution of clientship and patronage perpetuates clan traditions of local government as in China and Japan, though, unlike the latter, still savouring of tribal constitution, while the *jalsa* and the *panchayat* are ubiquitous instruments of social democracy, deepened by the levelling influences of Islam. Unfortunately, the data on these subjects are too scanty and scattered. Bokhara, the most fertile region in the world, has two million people, and though little known outside is a seat of living Moslem culture quite as influential as Cairo. This region

also includes the great Kerghiz steppes with its half-nomadic and half-settled government. These regions and Trans-Caucasia, including Armenia in Turkey and Azerbaijan in North-west Persia, as well as Arabia, Palestine, and Mesopotamia, which have their traditional machinery of local and social government, have become new centres of political life after the war ; this emergence of the new nationalities will imply the entrance into the world of a self-conscious Asia, which is bound to ask : " If self-determination is the policy of the future, how shall we apply the doctrine for ourselves ? " Asia is now dominated mainly by England, and thus the British policy in these centres, in Persia and in the Yangtse valley assumes a new political significance ; while in India it ought to be England's rôle to help the adaptation of her parliamentarism to the traditional democracy of the autonomous rural communes.

Indian communalism has won successively the admiration, contempt, and neglect of British administrators and students. The earliest discoverers of the Indian village community dilated on the firmly-knit social and administrative life it presented, and Maine says that the discovery and recognition of its existence have long ranked among the greatest achievements of Anglo-Indian administration. The early Settlement Reports in Northern India and the minutes of the Board of Revenue, Madras, dwelt on the community of interest on which the coparcenary village community was based, and protested against the introduction of individual assessment. Indeed, some of the earliest administrators sacrificed their appointments on this ground. But a great majority of them, erudite and well-meaning as they were, believed in individualism, which was then the keynote not only of the English utilitarian philosophy, but also of the prevailing economics of *laissez-faire*, and were convinced that rescue out of the derelict survivals of communal government, custom, and

tenures was their great responsibility in leading "medieval" India along the path to modern progress. And the Benthamite postulates and Ricardian ideas were applied ruthlessly in law as well as in land management and administration. Then came the theoretical study of Indian customary law and institutions begun systematically by Maine. The comparative study of society in the West began in the second half of the nineteenth century with an emphasis of the communal group in every field, in marriage and family right by McLennan and Bachofen, in property by Maine and Kovalevsky, in law by Post and Köhler, in economic life by List and Hildebrand. The reaction came inevitably as the century waned, and scholars ceased to adhere to communal origins. Baden-Powell's investigations into the various forms of the Indian village community belong to this reaction. And yet nowhere except in China has communalism been a more potent factor in social and anthropological formation than in India; neither the clan and tribal constitution nor the undivided joint family can alone explain the origin and development here. Among the agricultural communities of Central and South India, as well as in the villages of South-Western Bengal, which show the largest Dravidian mixture, traces of the early clan properties and periodical divisions are clearly discernible. Indeed, the communal holding of land and the rule of the Five (*panchayat*) are inherent in the rural polity of the Dravidians. And these institutions have migrated far beyond their original abode to Northern India, and, percolating through all the lower strata of the Hindu community, have determined not only the agrarian distribution, but also the unquenchable system of elaborate caste government in all its ramifications. But here, in the North, it was chiefly the Aryan joint family which developed the custom of collective village ownership and management in shares, as

Baden-Powell, following Maine, has so clearly shown. Both in the North and the South, the compact village based on ties of clan or family was, however, modified in course of time with the introduction of new settlers ; the territorial element of neighbourship was superimposed as in China upon the bond of kinship. Thus the village communal system developed with its characteristic form of joint tenures as well as its village *panchayats* comprehending and encompassing the caste *panchayats*. The fiscal system of Muhammadan conquerors encouraged the original joint village administration developed from the undivided clan or the joint family by emphasising collective fiscal responsibility. Economically speaking, the village communalism as distinguished from the older tribal communalism had been the necessary result of intensive and co-operative cultivation and increase of population which in all agricultural countries lead to delimitation of individual rights in land in the interests of successful agriculture. Unfortunately, what is inevitable as a social necessity in the development of agriculture, and especially rice cultivation, was ascribed by British administrators merely to archaic tribal notions, and thus the adaptation of the village community to new needs which has been seen in modern Japan, for instance, could not accomplish itself in India. In a similar way the indigenous organs of local and social government have been neglected in administration.

For the materials of Indian tribal and communal self-government the writings of Ibbetson, Russell, Risley, Gait, Thurston, and others have been freely made use of, and Census Reports, both Imperial and Provincial, have been examined. The Settlement Reports and Gazetteers have viewed the village system mainly with reference to land rights and tenures ; while Census Officers incorporate matters relating chiefly to caste organisation. They are valuable in their own fields. As far as tribal con-

stitution and organisation in particular are concerned, the materials from the works on Indian Anthropology and Ethnology are sufficient, though they do not attempt any analysis of the different race elements in the Indian social constitution. Of recent works, Dr. Matthai's *Village Government in British India*, with an admirable Preface from the pen of Professor Sidney Webb, is the most satisfactory, but is inadequate for my purposes. With regard to village assemblies and folk-moots, their jurisdiction and procedure, their expansion and constitution, as well as guild organisations in cities, there is unfortunately very little to go upon, though the Provincial volumes on Tribes and Castes contain valuable data about caste polity. The more significant phase of indigenous self-government concerned with the expansion of the polity on the basis of territory, rather than caste, occupation or profession, was the subject of close attention in my tours of investigation. I questioned all sorts of men, headmen of village communities, accountants of guilds, clerks of castes and sub-castes, artisans, farmers, *panchayatdars*, *gurus* or *sardars* of the depressed classes, village employés or city officers. Both the *panchayat* of the villages and the *sabha* of the cities were interrogated. It is alike my duty and pleasure to acknowledge their response and hospitality, as well as the help kindly rendered by friends in educational and student circles in collecting data and criticising the results of investigation. A goodly number of village councils were visited in the districts of Tanjore, Trichinopoly, Madura and Tinnevelly, where the Aryo-Dravidian polity is seen in its purest form and greatest vitality undisturbed by Muhammadan rule, while enquiries were made in the Munda-Dravidian tract in Bengal and in the hamlets and *tarawards* of Travancore, Malabar, Cochin, and Coorg, where the social constitution of the Dravidian folk has preserved its greatest strength and simplicity. Much of this kind

of matter has been used in lectures delivered by me at the Lucknow University this session to the Post-Graduate Class in Comparative Sociology. A considerable amount of new materials relating to the *panchayat* and the systems of rural and communal taxation and juridical practices has been included. All this, with variations, is the common possession of all provinces, as shown by the uniformity of details in names and in procedure. A comparative study of such village institutions, with an accurate and complete account of the variations prevalent among different peoples and provinces, is yet to be undertaken, though the basis is to be found here and in my *Principles of Comparative Economics*. But even these uneven and scattered materials show that the main outlines of life and organisation are fairly uniform throughout India and justify reconstruction on similar lines, though in the actual details of organisation there will be a good deal of difference, *e.g.*, between Madras and Bengal.

A decisive experiment in Eastern Asia towards communalism will expand the silent and time-honoured democracy of the village council and functional assembly. This will not only be more adaptive and life-giving than the imitation of Western political methods, but will also be a distinctively Eastern contribution to the political history of man, infatuated as it is with the strange and tangled game of aggressive powers and colossal empires of the West. It will furnish the basis of a new type of polity which in its co-ordination of diverse local and functional groups will be more satisfying in the State constructions of the future than the centralised structures of the Romano-Teutonic mould or the later parliamentary pattern. And, indeed, the constructions based on the communal and synthetic instinct of the East Asian culture will furnish rich and valuable data for utilisation in this era of new social and political experiments, if only the present

intellectual and moral rally of the Asiatics will continue. Humanity all over the world is imprisoned in the bleak institutional orderliness of a mechanical and exploitative type of State. And nothing is more needed to-day than a new principle of social constitution which will once again orient man and his allegiances in natural and elastic groups for a freer expression of his gifts and instincts.

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DEMOCRACIES OF THE EAST:
A STUDY IN COMPARATIVE POLITICS.

PART I.

RACE AND REGION IN POLITICS.

CHAPTER I.

INTRODUCTORY.

Classification of Political Types.—The current classifications of political institutions seldom go beyond the old classical hypothesis, though they deal with modern historical developments, and look chiefly to structural resemblances or differences for the purposes of induction. The biological ideas that have proved so successful in the sphere of sociological interpretation, as well as the comparative method, which has already established itself in studies like Ethnology and Jurisprudence, must now be applied to the investigation of types and forms of polity, in reference to their regional origins and their historical stages of development. Starting with the environmental and ethnic conditions, such an investigation would seek to unite the historical method in tracing the unfolding of different political ideals and organisations with the method of Regional Politics conceived on the plan and pattern of a multilinear as opposed to a unilinear evolution. Again, the analysis of the various types must be more searching, more adequate. Forms of government should be classified not merely on the ground that the seat of authority is in one individual or in a few

or in the people; or, again, because it is in one or more groups; nor should the classification be based on a distinction between political and legal sovereignty. The classification should take into account such factors of political stratigraphy as (*a*) the combination or the separation of the principal functions of a State, such as the executive, the legislative, the judicial; (*b*) the gradation in point of authority of such functions and their organs; or (*c*) the principle of the formation of political groups among whom these functions of the State are distributed. Under the last head, we may consider whether the political groups in a particular case had their origin in military leadership or ethnic differences, priority of settlement or migration, possession of land or wealth, family status, specialised administrative or bureaucratic training or discipline in service, or, as in some modern constitutions, the fact of their representing some social or economic interests. Again, it is a point of fundamental importance whether on the one hand a territorial classification or it may be a hierarchy of organically related and mutually interdependent neighbourhood groups is dominant in the polity; or whether, on the other hand, the representation of socio-economic functions or interests, such as in guilds, soviets or workmen's councils, unions and federations, is the distinctive feature. Political thinkers have hitherto neglected the full significance of such factors. Alike in their description and analysis of the data and in their survey of historical movements they have thus missed many factors essential to a scientific classification.

Basis of Classification—Regional Data.—A natural classification of political types must have its base on the relationship between the different grades, groups, or classes in society and the specific functions or values which those classes represent in ethnic origin and development. As the social stratification and the gradation of social values, which furnish the basis for political developments, have thus an ethnic history behind them, Comparative Politics depends for its primary classification on the data furnished

by Comparative Anthropology (including Ethnology) and Comparative Sociology (including Jurisprudence, Law, Economics, etc.). The political traditions in different races depend upon their social composition and constitution. There is, indeed, an intimate connection between the ethnogenic (and social) evolution of a community and the gradation in point of authority of the different organs of the body politic; in other words, the form and organisation of government by which the community is ruled. The foundations of political development are accordingly furnished by distinctive factors relating to geography, race-psychology, social and political history, and their action and interaction in producing the political values of the region. And, indeed, from a patient analysis of the mass of regional data we begin to perceive that it is possible as a matter of logical framework to make a twofold division of regional polities in all their natural diversity and heterogeneity. The first division or order may be designated as the order of monistic states depending on the theory of a sovereign fiat which creates as well as ratifies ; while the second order may be termed the order of pluralistic states, of which the basic concept is that of a co-ordination of quasi-independent particulate jurisdictions. But these, after all, are broad divisions, and we must not forget the central and ultimate fact of social classes, functions, and values in adaptation to the geographical and ethnic environment which constitutes the life and soul, as it explains the origin and growth, of the individual states that in all their abounding heterogeneity are comprehended within these natural orders.

Political Law of Correspondence.—We thus reach the new concepts of Functional and Regional Politics. In conformity with the fundamental principles of multilinear evolution and regional variation, political systems are seen to vary with gradations of social values and the schemes of social stratification in different regions : each system develops its own norms and categories, with each is correlated a proper type of ethnic, customary, legal, economic, and other institutions. We thus arrive at what we term the

Law of Correspondence.[1] For example, there is a correspondence between a legal system in which customary usages as such are independent sources of law irrespectively of the sovereign's command and a political system in which local bodies originating directly from the people exercise a co-ordinate or even a quasi-independent jurisdiction with the central State in certain spheres of civil rights or of local and functional administration. Certain theocratic and patriarchal states similarly are found associated in history with corresponding types of the family, as in China and Japan, or the Church, as in Judaism and Islam. Again, the distribution of franchise among the components of the political system tends to reflect the differences of social status among the classes that enter into the social composition. In the same way, where there is a threefold division of the economic organisation, with separation of the landed, the capitalistic, and the labouring interests, we often find a similar triple basis in the body politic in the form of the *tiers état* or the bicameral legislature. The triple chord in such cases is alike political and economic. On the other hand, an absence of social differentiation, as in Islam, is accompanied by the negation of all political inequalities based on birth or wealth or hereditary landed possession, except so far as such differences are created by the fiat of the sovereign as the exponent and organ of the divine fiat. In another and a minor field, the ecclesiastical organisation of Papacy is known to have corresponded to the political constitution of Imperial Rome, even as at the other end of the scale the monachic organisation ordained by the Buddha was modelled on the same democratic lines as the polity of the ancient Sakya or Koliya clans or communities which saw its birth, though the council of the *sangha* and the appointment of the chief disciples and personal attendants of the *Sangharaj*, modelled as it seems after the oligarchic and monarchical traditions of Magadha and Kosala, were engrafted to it. This Law of Correspondence applies not only to the internal constitution

[1] This principle is the same as that of "Political Repetition" used by Tarde.

of a state, enabling us to define types of polity and their evolution, but also holds good in the sphere of inter-state relations, when by territorial expansion, conquest, colonisation or otherwise a state grows into an empire or a confederacy. Wars in history, so far as they have a direct constitutional significance, have often been the outcome of a clash and conflict in ideals of political composition. Many have been the wars of conformity in human history from the Athenian friendship with republican Corcyra to the late world war, in which one type of polity or constitution, internal as well as external, has really sought to expand and attain to world supremacy at the expense of a rival form of polity. Whether the self-determination of petty independent states or their consolidation in a central authority as in the Teutonic demand for a *Mittel Europa* should rule the political destiny of the world is the sphinx's riddle which has been proposed to a distracted Europe. But this is only a modern phase of the age-long conflict between divergent socio-political aims and ideals which has been the key to the history of many an economic and territorial expansion.

The Law of Correspondence in its application to different cultural regions thus points to a more adequate Philosophy of Politics and a more comprehensive Science of History.

Importance of Regionalism in Politics.—We may now turn to the applications of this principle to the great problems of political reconstruction. The organisation of constituent associations and groups on different principles in different types of polity furnishes the key to experimental constructions in this field. In view of the coming world-wide changes in political ideals, political regionalism will play an increasingly important part in the state and inter-state constructions of the future. The contemporary problems of political readjustment in which self-determination, race or religious cohesion and historical convention are now in irreconcilable strife, as well as the insistent problems of tropical reconstruction so characteristic of this century, can only be solved by Applied Politics on a scientific, regional basis.

Communal Democracy of China.—The descriptive part of the work forms but a preliminary survey in which we have confined ourselves to Eastern forms of polity. Here in the East we trace the differences in the nature, functions, and values of the State and the myriad communal groups to different principles of social stratification and group organisation. Both Chinese and Indian civilisations are organised for peace, and the government or the military class play a small part in the social scheme. Both in China and India, the leading class is intellectual; in China it is less priestly and more official than in India. The following are the main classes below the priest-emperor recognised in the traditional Chinese social system: (1) the mandarins, who correspond partly to the officials of the Western world and partly to its teachers and clerics; (2) the peasants; (3) the artisans; (4) the merchants. The mandarins are drawn by a competitive examination from all classes of the community. Each of these classes has its organs of social government virtually independent in its own jurisdiction, and the classics and sacred traditions encourage their voluntary co-operation for the peaceful routine of life. Economically the Chinese land has always been cut up into small holdings divided among all the sons of the family. They are chiefly freeholds, and cultivated intensively. There are no great permanent estates as in the Western world; thus there has not developed an exclusive aristocracy of landed wealth. The age-long distinction between the nobility (the patricians) and the commonalty (the plebeians), which has received a picturesque enforcement in the science of heraldry, and which has been the basis of the pyramidal growths of protectors and subordinates and sub-subordinates associated with the feudal system in Western Europe, has not been here manifest. In Western Europe, out of the breakdown of the Empire in the sixth, seventh, and eighth centuries, has arisen feudalism, traces of which are still to be found in the social and political structure of every European community west of Russia. Men's ideas turned rather to leaders than to groups of communities, and the centres about which affairs

crystallised were here barbaric chiefs, here a vigorous bishop or some surviving claimant to a Roman official position, here a long-recognised land-owner or man of ancient family, and here again some vigorous usurper of power. In a breakdown in China—and both China and India had seen times of confusion and insecurity—we find people with social habits and communal traditions linking themselves not with the chief or the landlord or the military protector, but forming local vigilance groups which would combine and restore a police administration and a roughly democratic rule. In the communal democracies of East Asia natural associations and alliances of village communities, guilds, and brotherhoods grew into a system instead of the grouping for mutual protection of men and estates, which has supplied the framework of the European polity. In social history the war-captive and the slave class play a smaller part in China and India than in any more westerly record of these ages before the Christian era.[1] A peaceful social life in the less militaristic Eastern Asiatic countries, continental in their size, has encouraged social solidarity and the co-operation of classes. The Western world, divided into relatively smaller disjointed states and cultures by natural barriers, has emphasised the antagonism of groups as the mode in politics; while the diversity of race and tradition in a more various and eventful world has delayed and perhaps arrested for ever any parallel organisation of the specially intellectual class which has directed Eastern Asian society in lines of voluntary group co-operation. Thus the village gentry, guilds and associations began a sway over the yellow civilisation still undisturbed by the modern tendencies of centralised administration.

Aryan-Dravidian Polity of India.—We may next turn to the social development of India, and here the first point that strikes us is the extraordinary fission and complication of the social body due to the diversity of races and stocks —Negrito, Dravidian, Mongolian, Aryan, Scythian, Semitic, etc.—which admit of no complete assimilation by a central

[1] Wells: *Outline of History*, p. 133.

and organising culture. Classes are fixed and called castes. These form the very backbone of the body politic. Castes in the Hindu social scheme have their local organisations ramifying into branches and sub-branches which maintain their own police and punish crime, administer a common fund, organise poor relief, and protect the interests of the members, or it may be the interests of a craft or trade. The organisation of the original Dravidian inhabitants was far less differentiated, but it was the Dravidians who were gradually comprehended within the Hindu fold and who greatly determined the structure of social government and agricultural organisation. The Aryans took the rule of the country they conquered over the Dravidians, already tilling the soil and settled under their own headman and *panchayat*, who derived their position from a clan constitution in which the smaller sects or sections (of " village " dimensions) had their petty chiefs as the larger groups had their greater chiefs and patriarchs-in-council. The *panchayat*, which was originally meant to control the annual redistribution of holdings and to administer cheap and speedy justice among the Dravidians, thus became an important feature in the Hindu polity and the migration of culture is nowhere more manifest than in the ubiquity of this institution and its procedure. The semi-Hinduised aborigines were assigned a place as castes and tribes on the lower rungs of the Hindu social ladder and their *panchayats* to-day are most irrepressible Dravidian institutions. Beginning with the original polity of the Dravidian folks we find in great strength and cohesion among many of the Indian tribes and castes an elaborate village *panchayat* system with its usual complement of village officers based upon a federal union of villages under a sub-divisional headman and council. The old tribal jurisdictions, as well as the central government of the chiefs-in-council, or local hereditary chiefs, or, again, a strong democratic organisation of circles of village councils, still survive; but the most vital of the Dravidian survivals are: (1) the social control exercised by the standing assemblies of the castes; (2) the local jurisdictions of the assemblies of groups of from

five to a hundred villages ; (3) the communal apportionment of revenue burdens and of political duties of all kinds according to the measure of rights in the tribal subdivisions ; (4) the agrarian distribution under the scattered field system and the equalisation of agricultural and grazing rights in the village community ; and (5) the organisation of watch and ward as well as the allotment of lands for village officials, artisans, and employees. These are still found in almost all parts of India, though with the greatest persistence and vitality in the South, which shows the largest Dravidian admixture. But it is not merely the Dravidians who have given to India her characteristic social constitution. More important still are the contributions of the Aryan culture which organised Munda or Dravidian, Negrito or Mongolian elements in a social system of which the categories and postulates were largely supplied by the Aryan tradition, characterised as it is by the greater emphasis on the individual in the various spheres and relations of social life. Accordingly we find that village communities in the North often diverge from the Southern or Dravidian model. They recognise the rights of individual households and families to shares in the village settlement independently of the community, though the apportionment of common burdens is always a co-ordinate principle in the agrarian distribution. In the same way the juristic rights of individual families are always protected in an Aryan community by being grounded in immemorial custom or *achara*, which sets a limit to the decisions of the village councils. In both these respects the Dravidian tradition gave a dominant position to all unanimous counsels of the people. It was the community who created, maintained and readjusted from time to time the agrarian distribution ; and it was the same body whose occasional decisions in moots and assemblies were the perpetual source of rights and usages. The Aryans accepted these data as social facts, but worked them into their scheme of social organisation by inventing suitable concepts and machinery, and this they did systematically in every field, economic and legal, æsthetic and religious, social as well

as political. It was thus that the Aryans became the artificers of the moulds in which the Indian polity was cast. This polity has had an abiding place in the story of the Indian civilisation. North and South, East and West, everywhere the introduction of new settlers, artisans, and employees have altered the social composition of the village; but its framework of autonomous internal polity, thus created out of Aryan and non-Aryan fusions, has not changed.

Three Bases of Indian Political Grouping.—Building on the communistic habits and tribal traditions of a simpler structure, the Aryans have evolved a composite public opinion and varied organs of social control. The simplicity and directness of popular control expressed by undifferentiated and occasional assemblies and folkmoots of Dravidian tribes and peoples are superseded in Aryan culture by the development of constitutional and structural layers of social organisation in the form of status and customary right or prescription. In this way it will be seen that social constitution becomes a more important factor than social composition, and accordingly the Aryan social life cannot so easily be resolved into its original tribal components as can the more primitive types. The assemblies rest and find stability in *achara*, which also determines their gradation in point of authority of their functions in a hierarchical system encompassing the whole population, and there gradually evolve definite methods, instruments, or spheres of control as well as traditions of periodical meeting and discussion. The principle of the formation of the bodies and assemblies no longer remains simple, uniform or homogeneous; while the inevitable unions or federations of these bodies with more or less imperfect cohesion develop in the course of political integration on a gradual and peaceful basis. Broadly speaking, the Indian communal polity has expanded on three basic lines: one on the kinship, another on the occupation, and the third on the neighbourhood basis. There are caste *panchayats* extending their jurisdiction over a wide field, from a subcaste to the whole brotherhood inhabiting a large number

of villages and extending over even a whole province. There are occupational groups arising independently, or it may be out of kinship or neighbourhood relations or an admixture of both, which have similar extending circles of authority. There are, again, territorial *panchayats*, or folkmoots, in which political, occupational, and ethnical elements are fused, and of which the jurisdictions also extend over villages and groups of villages. All these principles of kinship, occupation and neighbourhood have intermingled, thus constituting a hierarchy of popular juridical and administrative bodies with extending and often intersecting circles of authority. The same fusion of the elements of occupation and local association are seen in the constitution of city guilds and their expansion into unions and confederations.

Western Check to Eastern Political Development.—Unfortunately the expansion and development of the pluralistic polity in India and China has been checked—even as the progress of the Indian village community, essentially an economic democracy, has been thwarted—by an alien legislation and administration based on the individualistic Romano-Gothic concepts of social and legal polity. The formation of federative unions or confederations of local and functional groups will represent the coming stage in the social and political history of the East. A type of communal-federal democracy thus rising, layer upon layer, from the bedrock of original and essential groups, local, communal or functional, must necessarily be more suitable for China and India than the imported Western institution of representative democracy based on party and territorial regimentation. It is only thus that communalism will be re-oriented and expanded into a national State of a new type, which shall give due recognition to the complementary principles of state monism and state pluralism in its organisation. And it is only thus that communalism will be enabled to fight the forces of competition and exploitation of the mechanical State with which the Eur-American peoples have threatened the peace and liberties of the East.

The State—Pacific or Military.—We have tried to show the fundamental resemblance between the Indian and the Chinese type of communalistic democracy; the salient points of difference which incidentally help us in understanding the weakness or strength of the theory of the pluralistic State have also been noticed. Both in the Indian and in the Chinese polity we find that the State does not supplant myriad local and functional groups or intermediate associations, but has its sphere carefully delimitated by custom and the communal ethos. A kinship or interest group, a functional or territorial association, is quasi-independent in its own particular sphere, such sphere being differentiated at the outset in the course of ethnogenic evolution as a result of gradual, peaceful integration on the basis of the tribe and the clan, cemented by common land and water, common defence, or common occupation or adoption into the village community or guild. The State, which supervenes at a later stage in the evolution, does not usurp their particulate jurisdictions, but seeks only as a supplementary organ in the body-politic to secure for the groups the general conditions under which each can pursue its own interests and functions without coming into mutual conflict. Social relations, hitherto existing as facts of habit and custom, are gradually converted into institutions and ideals which seek to achieve progress through the voluntary co-operation of social groups and units, large or small, including the ethnic organisations such as the family or the clan, and the civil organisations such as the village community, the guild, the assemblies of the folk, or their unions and federations. On the other hand, where the State originates in force, the form of government is so instituted that it can best represent and symbolise that force; the intermediate jurisdictions are all effaced by conquest, encroachment, and the heavy hand of State absolutism in law and administration; and a central ratifying will or fiat embodied in an all-powerful and all-embracing central organ becomes the governing idea. This sovereignty gradually assumes a definite positive character. There is a corresponding active development

of the political phases of the social mind: there develop, in course of time, slavery or serfdom, feudalism, primitive or territorial, a social stratification with an unequal distribution of political rights, a military class, or, again, political groupings along lines of social or economic cleavage or an inevitable bureaucracy; and in the end these are incorporated into the composition and constitution of the body politic. In the long developmental process each class strives to win control over the State organisation, to use its power to further its own interests, and to hedge its acts with divinity; class conflict becomes the mode of political life and evolution, and the absolutism of the State is superimposed upon society to check the evils of class aggression or individual revolt.

Reaction against the Western State.—The glorification of the State and the doctrine that the State is the supreme guide of social aspiration and purpose have now proved in the West incompatible with progress as well as with liberty, and hence there arise schemes of Guild-Socialism, Anarchism, and Administrative Syndicalism which seek to allow scope for the minority, and to remedy the other evils of representative democracy and bureaucracy by making industries, as well as such other groups as have separable interests and functions, self-governing units. But even political prophets and regenerators in the West cannot rise above the prejudices of their past political evolution, which has followed the lines of class conflict and sectional or party interests—witness some of the recent suggestions towards a guild or syndicate organisation of producers balanced by a parliament of consumers, with a representative council chosen by the groups of consumers and producers set over both of them. On the other hand, Sovietism, which represents the principle of the old Slavonic communalism in its revival of communes and its reorientation of local and functional bodies and unions, stands in the West not merely for a new political machinery but also for a new political method which has its adherents far beyond Russia.

Strength of Sovietism.—The real basis of the strength

of the Soviet system is that it is based on neighbourhood association, on the agricultural community of the village or the natural grouping of workers, not according to their trade, but primarily according to their places of work, the shops, workshops, and "natural" limits of industry. It is thus fundamentally different from Syndicalism or Trade Unionism, which is primarily occupational in character and divides the workers into distinct industrial or trade groups over a wide area, a division that must inevitably bring discord in its train. The actual working of Russia's political method in the existing situation cannot, however, be understood, because it is still in an experimental stage, awaiting further development.

Eastern and Western Movement to Political Federalism:—There is to-day in the West a good deal of misconception in the minds of would-be political innovators as regards the relative significance of occupational or professional interests and of territorial or local loyalty as the bases of a firm and comprehensive system of social and political control as sought to be incorporated into the State organisation: they are either mutually exclusive or mechanically joined; the conception of political representation and organisation based upon neighbourhood relations is as yet vague and hesitating. One reason is that natural neighbourhood groups, on account of the social history of the West, are not original and originating centres of activity; on the other hand, classes are active at all times, and attract the respect and loyalty of the majority of men. At any rate, the attempts in the West to organise the citizens with special functions and interests into professional or local groups possessing more or less autonomy as regards their internal affairs, and thereby to attain to a new federalism of interests and functions, may be construed as a movement towards a higher political synthesis. That synthesis is obviously the goal towards which the pluralistic polity of the East will expand, if unarrested by a process of substitution or superimposition of Western political structures. But there is a fundamental difference in the methods of realisation which Comparative Politics would

emphasise. In the East we have already not only the suitable organisations, but also a decentralised social control. Again, we find in the local associations and "natural" units of government an intermingling of conflicting industrial, professional, or functional interests. Groups in the East are unified locally into organisations capable of assuming control not only of industry or profession, but also of administration generally. The federal-communal body-politic will be here formed by unions and co-ordinations, and this in every field, economic, social, or political. In the West, the central organisation and sovereignty of the State will break up into numerous bodies with appropriate organs, each marked by an inner homogeneity of interests and functions. Instead of devising a new set of checks and counter-checks like those which have proved so unavailing in overcoming class conflict and aggression, the new order will seek to develop a new communal sense, a perception of individual personality in the group and of group personality in the individual. This can only arise out of a due balance of the opposite principles of the functional and the territorial organisation of society, establishing the political discipline of a higher citizenship, such as will comprehend the interests and functions of all the vital modes of association. This division of authority and responsibility must not be confused with the traditional threefold separation of powers. Federalism, again, is neither exclusively, nor even mainly, a combination of territorial units, nor an organisation of occupational groups, though both local self-government and functional administration are essential to liberty and efficiency. The true federal organisation of the society of the future, whether in the East or in the West, implies such an inter-weaving of local and occupational government, of central organisation, and functional territorial divisions that authority and responsibility shall be lodged where they can be most wisely exercised. It is thus spontaneous and creative; something radically different from some of the recent Western attempts to construct the new State, not by taking voluntary organisations into partnership, making

them responsible organs of public authority, but by mechanically organising the economic classes, which will involve industry in the inevitable absolutism of State administration. In the East, we often find an integration of occupational and other functional interests in neighbourhood groups; a specialised group thus comes to correct its sectional point of view. Accordingly, in this compounding and interweaving of the various communal bonds worked out in the Eastern local units as a matter of experiment and tradition, Western political pluralists will find rich data for utilisation in connection with their proposed innovations in group organisation. Similarly the East will adopt the Western devices of delegation and responsibility in the institution of the central organs of control, without which her unions or confederations will not be coherent. But the referendum and the recall, which restore the original force of direct action and popular control, must be liberally used in the new order whether in the West or in the East; while an adherence to the principle of proportional representation would be desirable to preserve the minority strains in the political constitution. Thus the Romano-Gothic and Sino-Indian experiences may help each other towards ushering in the coming polity. Humanity all over the world will converge towards a completer idea of the State by the unfettered development of each of the regional types which Comparative Politics defines. Universal Politics will arise out of a comparison and collation of the diverse political norms and systems in the zones of cultural distribution. It will show not only the divergent paths of the political evolution of races, but also the broad trend of world politics in which national and regional politics represent but particular and partial stages or series. International conflict has been encouraged by the nationalisation of the idea of politics; conversely, Universal Politics, in our broad sense, will be discovered to be the only lasting basis of Universal Peace. Thus will be laid the foundation of a new and greater League of Nations, which will seek to avoid the cardinal errors that have wrecked the hope of the world, and ended in the tragic failure of what was pro-

claimed as the final conquest of war, and of national chauvinism.

Political Basis of the Coming World Commonwealth.—It is now seen that a mere aggregate of historic nationalities arising out of the absolutist and aggressive type of polity may form a temporary banded union for the division and mastery of the world, but is ineffective for any lasting organisation of international goodwill and amity. It is equally evident that no harmony can ever be attained excepting on the basis of a true regionalism in politics which extends the principle of communalism and co-operation from the sphere of intra-state to inter-state relations. A true world-association is in reality inter-state communalism, and accordingly the ideals and methods which govern a communalistic polity must be universally recognised and established in the Commonwealth of the World. The working method in such a world of states must correlate itself with the method of the communalistic polity by the greater emphasis which will be laid on direct action as opposed to delegated responsibility or representation so far as such direct action may be secured by referendum, plebiscite, inter-parliamentary sessions, world unions or world federations of labour, which must replace the old diplomacy of chamber negotiations and cabinet conferences. The motto of such a Commonwealth must similarly express the ideal of "each for all and all for each"; in other words, the ideal of nationality in humanity and humanity in nationality; or, again, the State in the World and the World in the State, thus corresponding to the formula of the individual in the group and the group in the individual, which is the law of the social life in a communalistic world.

CHAPTER II.

CULTURAL RACE AND POLITICAL TYPES.

Political Norms, Eastern and Western.—Our acquaintance with social and political history is partial and inadequate. Our ethnographical knowledge has its grave limitations and drawbacks, as already mentioned. Among the civilised peoples it is only England, France, and Germany which have their social history. India and China, Russia and Japan, to-day present most significant types of group life and development which have been ignored. It will be more urgent and fruitful to work in the field of ethnogenic and political origins and evolution than to enrich without end schemes relating to the League of Nations or formulate abstract political theories and systems. It is the task of Comparative Political Ethnology to classify the important political types in the zones of cultural distribution, to define the internal composition of a political system, *i.e.* the fundamental classes of political organisation to which the political norms and institutions are related. For the classification of the intrinsic constitution of a political system, we may distinguish four kinds of norms: (1) monistic; (2) pluralistic; (3) complex, either reducible or irreducible; and (4) indefinite:

Type-families of politics.	Dominant Type.
Monistic, pure	Stateism
Monistic, semi-pure	
Pluralistic, semi-pure	
Pluralistic, pure	Communalism

We have seen that in every political organisation there are two fundamental morphological types, viz. the monistic

and the pluralistic, respectively marked by the centralisation or devolution of the authority of the State, or by the absence or presence of effective group organisation and consciousness. No political system is exclusively of the pluralistic type; that type is always found mixed with some elements of military type and absolutist state ideas and institutions which it denotes. The monistic type, an inheritance from Rome, has a marked predominance. In the East the pluralistic type is very strong; it is mixed up with the gentilic or clan or territorial organisation, and has even governed marriage and property in guilds and village communities. The norm belongs to the pluralistic type when it presupposes the autonomy of some form of intermediate association between the individual and the State, *i.e.* of the family, the communal home, the clan, the tribe, the guild, or the village community. The norm belongs to the monistic or pluralistic type when it presupposes the existence or absence of the military, feudal (or seigniorial) organisation with relation of conqueror and conquered, master and serf.

Roman Origin of the Western State.—In the East the State is in general a development out of the clan, tribe, and village community, and has to recognise their spheres of influence and jurisdiction. They are represented not *per capita* as in the tribal states, but by classes, and castes in the Indian body-politic. In the West the State is too much a descendant of the conqueror or the feudal noble; the relation between the intensity of State power and the intensity of hierarchic stratification of political classes in systems preponderatingly military or feudal is clearly established. The states and societies of the West all turned to Rome as the type and the ideal, and it was Rome that created for Europe her type of polity, of administration, of jurisprudence, and even the ideals of empire and colonisation. It has been well said that Rome created the organisation of force called conquest and the organisation of interests called administration. Inspired by the instincts of appropriation and exploitation, the Latin race raised its concrete notions of force and interest to the height of absolute abstractions;

it created the metaphysics of force and called it politics, and the metaphysics of interest to which it gave the name of jurisprudence.[1] Jhering says, Roman politics and jurisprudence were the central and governing types and ideals in the development of European polity, in which conquest and expropriation are prime factors. He continues: "The Roman world taken as a whole may be designated as the triumph of the idea of utilitarianism, and practicability; all her forces both of mind and character exist on behalf of utilitarian objects. Selfishness is the moving power of the whole; the whole of Roman virtues and institution is the objectivation or the organism of national selfishness." China and India, as we have seen, show the preponderating influence of gradual peaceful integration and assimilation on the basis of the family, the clan, and the village community. The Roman Empire and the states of Europe were in the main the results of absorption and conquest, and exhibit the distinctive features of their military origin and purpose. In Teutonic Europe, feudalism grew and flourished because the personal chieftainship which it implies grew and flourished. Before entering the Roman world, the Teutons lived in tribal villages. Chiefs, elected in village meetings, acted as magistrates, but important questions were determined by general assemblies of the freemen. Each village managed its own affairs, though frequently uniting with other villages, especially in war. War leaders were chosen for personal prowess, and frequently gathered round themselves groups of military companions bound by ties of close personal allegiance. In contrast to the subordination of the Roman citizen to the State, the Teutons were essentially individualistic, and their idea of authority, in contrast to the centralised bureaucratic despotism of Rome, was personal in nature and local in scope (Bemont and Monod). Feudalism reached its highest point of external splendour, though its real spirit had already passed away, at the coronation of the medieval Emperor, when Kings and Electors did their personal service to the anointed Lord of the World.

[1] Bemont and Monod.

State Polity and Private Law.—In the meantime the State developed, and the local divisions and counties were put under the protection of the overlords. The tenants or vassals, whether individuals or groups, now paid a portion of their agricultural earnings as the price of protection, and the military occupation of the district by the chieftain before long hardened into the institution of private property. The war-lord became the landlord. The system of feudalism was essentially based on the preponderance of the manorial lord and the hierarchy of social relations; the system of communalism in China and India was, on the contrary, based on the autonomy of the village communities and the particulate jurisdiction of the intermediate bodies—the family, the clan, the tribe, the village community or the guild. As national monarchies arose in modern Europe the feudal theory that the king was lord of the soil survived, and on this basis the State assumed supreme jurisdiction over its territory. Even in modern democratic states, by the legal regulation of the holding and transfer of land, and by the rights of taxation and eminent domain, the State asserts a claim superior to that of any individual. In China and India, on the other hand, the village communities or guilds have all along resisted such claims of the State and asserted that land cannot be bought or sold like ordinary goods in the market. Moreover, it was the political system of feudalism which influenced the private law of the nations of Europe. The law of acquiring or conveying property was strictly and immediately dependent on the political standing of the owner or purchaser. In India and China the law of real property was pervaded by a communal principle. It was the social standing of the purchaser, whether kinsman, neighbour, new settler or stranger, or belonging to a different occupation or profession in the village community, which determined this legal status to acquire property. In the monistic state-type the protection of the laws varies with the political status or ethnic element. This is demonstrated by the case of the Roman *plebs*, who, so long as they had no part in the government, did not enjoy the protection of the laws. The same fact is seen

in general in all compound social groups, where the vanquished element is oppressed by the law. Yet liberation is a necessary and inevitable fact which results from the impossibility of adapting the vanquished element in perpetuity to the wants and caprices of the conquerors. In the pluralistic state-type public and constitutional law does not grow out of the private law, or out of civil struggles and conflicts against the restriction which results from the parasitical function of the State. It is a part of traditions of voluntary co-operation of compound social groups where the different ethnical elements are comprehended in a common body-politic and enjoy the protection of cumulative tradition developed into customaries and ethnic codes. In the monistic polity law is born with the conqueror's function of adapting a conquered people in a stable and permanent fashion to their wants and caprices. In course of time the conquered element succeeds in becoming organised in a political class which participates in government. Under the democratic regime this participation becomes virtually general; yet the majority rules over the minority. In law and in institutions future progress will lie in a political and social organisation which checks the abuses that majorities, controlling, and in fact monopolising the parasitical functions of the government, inflict upon minorities. Guild socialism, syndicalism, or the soviet organisation are all reserved for the future because they will render majorities innocuous, the State less parasitical, and participation in civic life more effective. We come to similar conclusions by another order of thought. The monistic state is born with a function of directing, of converging, all individual forces to a common centre, in such manner that the group may overcome the crude struggles for existence, and that when it has become a permanent organ it seeks to advance in the best way possible its existence and its well-being. While each organ of social life requires equal reparation of the losses sustained in the performance of its function, the organ called the State absorbs a much greater quantity of nutritive elements than would be necessary according to biological law. The result is that the organ of the State

suffers from hyperæmia and the cells of other organs suffer from anæmia, in consequence of which the social body sickens or rather dies. Human groups then pay dearly for the functions of the State whose evils are greater than its advantages. Nevertheless, it is certain that in the struggle for life the better-governed groups have the advantage against those groups subjected to tyranny.[1]

Pluralistic type of Polity important to Political Science.—The dualism of the State and the individual is the foundation of the Romano-Teutonic polity, while that of the Eastern society is the pluralism of the group between the State and the individual units. This ethnogenic analysis will enable us to represent in outline the classification of Eastern and Western political systems, or, materially, the classification of peoples from the political point of view. A political institution is not a unitary formation. It is composed of simple political practices which are ultimate and irreducible elements of a people's political structure. Herein lies the importance of the ethnologic conception of political systems. The key to an examination of the data of Comparative Politics will accordingly be found in an analysis of group formation and development, in stratigraphy, and in ethnology. To this day by far the larger part of humanity are politically organised in village states and city guilds, retaining political customs and modes of thought having a history of many centuries. The pluralistic type of polity is more ancient and widespread ; thus the norms and categories of the science of politics (deduced from the monistic type of the Græco-Roman political organisation and based on the theory of straight line evolution) are inadequate for the interpretation of the phenomena of political life and evolution of the larger section of the world.

[1] Michel-Angelo Vaccaro.

CHAPTER III.

GROUP ORGANISATION AS THE BASIS OF POLITICAL CONTROL.

Eastern Conception of the State.—The conventional definition of Politics as the science of the authority of the collective body called the State will not be quite apt in the East. Here a State uniquely sovereign cannot always be postulated. The merest knowledge of Oriental history would prove inadequate the unity or absoluteness of the State predicated after Hobbes, Austin, or Hegel. One reason is that here the population is not compassable in numbers or homogeneous in culture and tradition, nor is the land compassable in size. The racial diversity of the people and the geographical diversity of the country have contributed to the predominant form of democracy in diverse local and communal groups. The State is by nature and history pluralistic. We have myriads of semi-independent local or non-local bodies having particulate jurisdictions, which overlap and interlock, intersect and outreach—which are not a series of concentric circles as in the West, each enveloping the other till it is absorbed by the all-embracing State. Thus in the East we may more appropriately define politics to be the search for social unity rather than sovereignty ; law is more the custom and tradition of an organisation of co-operating social functions than the fiat of the State. While the West tends to adopt a sort of mystic monism as the true path of political thought and activity, recognising no natural limits of political administration, the East draws its inspiration from the shifting variety of a teeming multiplicity. Witness the political doctrine of *Matsyanaya* or the logic of the fish, the strong devouring the weak, as in

Hobbes's "state of nature," or the international doctrine of the *Mandala*, or the circle of balancing powers; each true to the innate constitution of human nature and society. Not that wars have been constant: wars are far less frequent in the historical East than in the West. It has been calculated that, during the Christian era, there have been 450 major wars in Europe, or one in every four and one-quarter years. Taking the principal nations of Europe together, fifty-two per cent. of their time was spent at peace and forty-eight per cent. at war during the eight hundred years which closed with the nineteenth century. Referring to medieval times, Dante drew the picture of a world state which is one because the law is one and its spirit also. Both Emperor Charlemagne and Pope Boniface VIII. straightway claimed the lordship of the world. In the West they think of subjugating worlds and empires because their worlds and empires are within range. Europe—the smallest continent next to Australia—has shown numerous attempts at imperialism, but with the greatest breaking up of its area into small divisions. The *Sarvabhauma*, or the superstate of Indian history and tradition is not incompatible with a multiplicity of independent and semi-independent worlds, each true to its orbit and its own sun. The *pax Sarvabhaumica* (peace of the world empire), the Indian analogue of *pax Romana*, was achieved within the boundaries of India on various occasions. And yet, in spite of the general and essential uniformity of the people's cultural ideals and institutional standardisation as dominated by the Indo-Aryan consciousness and its works and experiences, India presented the picture of a congeries of independent and semi-independent peoples and states, a veritable "pluralistic universe." Local life and creativeness were even encouraged by the Chakravartti-Emperors (holders of the Imperial Umbrella) to secure the supremacy and stability of the State. It was thus that the Indian State was larger in size and longer in life than the Empires of Europe. In fact, only once did Europe witness the formation of a unitary State with the size and area of the Maurya Empire (322–185 B.C.). This was the Roman Empire at its zenith

during the second and third centuries A.D. Neither the heterogeneous European possessions of Charles V. nor the ephemeral conquests of Napoleon acquired the dimensions of the Tughlak Empire of the fourteenth century, or of the Mughal Empire of the seventeenth, or of the Maratha Empire of the eighteenth. In terms of population and area, even the less extensive Gupta Empire of the fifth century, the Vardhana Empire of the seventh, and the Chola Empire of the eleventh were barely approached by the empire of Charlemagne.[1] And while the Muhammadan conquest of India took several centuries (712–1316) to attain the dimensions which it ultimately reached, the empires of Europe fell an easy prey to the Muhammadan onslaught in the course of a hundred years (610–712). This was because of the elastic character of Indian political life, comprehending as it did a group of semi-sovereign states. Toleration and decentralisation were the two great pillars on which the fabric of the Indian empires rested. Thus Asoka long ago dreamt of the Amity of Nations, and laid its foundations on the basis of compassion and righteousness to smaller and weaker states and peoples; and while the national State and the new monarchy, born with the Renaissance, fed the gospel of religious persecution and the divine right of kings in the West, Akbar, who consolidated the Hindu-Muhammadan national State by bringing together the diverse nationalities, practised a new policy of toleration, and preached the New Faith based on the fallibility of man.

Opposed Problems of Monistic and Pluralistic Politics.—A grave danger of the monistic political theory, now more felt in the West than ever before, is that the legal sovereignty of the State tends to be identical with moral sovereignty. This has never been known in the East, where the State is not the guide in social aspiration nor the unique symbol of the collective will, and where there is far more activity and vitality of groups than of the State. In England and France, one of the fundamental problems that await solution when their reconstruction comes is the revivifica-

[1] *Vide* Benoy Kumar Sarkar: "An English History of India," *Political Science Quarterly*, December, 1919.

tion of local group-life ; in India and China, the fundamental problem is to incorporate the local and communal life into the substance of the national State, to create as much interest and enthusiasm in national problems as are felt in local and communal problems. Our mode of politics is also essentially different and characteristic. The distinctive group-organisation of the East integrates divergent elements and interests, occupational or cultural, in neighbourhood groups in daily intimate life ; such a polity rightly ordered will raise citizenship to an ethical and even spiritual discipline and democracy above a mere form of external representation to a creative and distributive impulse in an essentially humane and humanistic culture. The democratic forms as evolved in the West are not the only forms in which democracy has taken shape. The indigenous forms of democracy that still persist, and the methods adopted to keep them going under the steam-roller of the foreign bureaucracy or under the world-wide operation of the forces of political exploitation, should now be reviewed afresh, not merely to safeguard our genius and traditions but also to help in the evolution of the world ideals and forms of democracy of the future that will know neither white nor black, but only Man and his inalienable right to self-government in elastic groups of his free creation.

In a wider view of human politics, both China and India, through their several ordeals and chastisements, have earned the reward of giving to the world the new democracy, safe for each nation and for humanity as a whole, and in consonance with the fundamental constitution of Man and Nature.

Political Sacrifice.—The monistic theory of the Absolute State has enabled Rome and England to build world empires for mastery and exploitation ; an attitude of pluralism has tended to weaken the central organs and to bring about the inefficiency and subjection of the Eastern cultures. "Rome sacrificed her domestic freedom that she might become the mistress of others," thus writes Lord Bryce. That is a small sacrifice. A tremendous sacrifice is that to which China and India, twin sisters among the nations, have been called—the sacrifice of the kingdom of the world,

of power, prowess, and prestige, for the sake of the reality of individual and group life and personality, and the gospel of social concord and peace which they have saved for Universal Humanity.

Scientific Study of Politics.—Regional or Ethnologic Politics emphasises that every living historic nation still rests in its undermost strata upon the primitive group life whence it has arisen ; and upon this foundation strata upon strata of culture and civilisation are piled. Political experiments will be the more successful the more they are in accord with the bedrock of the original group-organisation and the essential habits, political customs and conceptions of a people. These latter should be regarded as natural growths, and should be investigated objectively as they are in reference to their causes and environmental conditions, in the same way as we study living organisms. *A priori* hypotheses or judgments of individuals regarding such political habits and conceptions are totally out of place in a strictly scientific Politics or Ethnology. These should never be regarded as prototypes of others ; all alike should be examined and analysed in the historical and regional setting which produced them. To furnish but one instance of a prejudiced point of view, Western sociologists and political theorists have judged the communal habits and institutions of the East according to the standards derived from their own civilisation, and have assumed that communistic and collectivistic instincts have marked the beginnings of political evolution, that these have now outgrown their uses, and that degeneration must attend all latter-day attempts at a constructive communalism. The theory of "status to contract" or of "collectivism to individualism" has to be re-cast in the light of a new, extended, genetic, and comparative study of institutions which will find not only general and universal laws of social and political evolution, but also, subsidiary to them and embodying them in diverse forms of the concrete and the real, multiform laws based on the different works and experiences of different cultural regions in the process of adjustment to different geographical and historical conditions.

The New Politics.—Comparative Political Ethnology thus stands in marked contrast with the tendencies that at present govern the science of Politics. In its method of procedure it is essentially inductive and genetic; it starts with the political customs, habits, and concepts of all the peoples. Its method is specifically comparative-ethnological. Furthermore, its psychological groundwork is different. The present system of Politics is individuo-psychological in its origin. Hobbes and Locke, and even Montesquieu, proceeded in their investigation of the causes of political life from the individual. The new Politics will base itself on behaviouristic not on hedonistic psychology; it will proceed not from the individual but from the group, from political customs, political conceptions, and political institutions as they are met with in group-life to-day. The former attitude was deductive, based on certain postulates as to the traditional nature of human institutions and political authority, which were derived from the older associationist psychology. From the premises of man's isolation, rationality and self-interest conclusions were reached by logic what political institutions should be. The logic of the new Politics will be entirely different from that of the old Politics even as Functional Psychology is different from Associationism. Mill and even Sidgwick conceived the individual as an isolated and self-contained unit who is dependent for his political ideas on his own experience and the dictates of self-interest. Little or no account was taken of the influence of race and political psychology and ideals, or of the all-important circumstance that he is born into a family, social or industrial group and established standards and codes, which enter into the very breath of his political life, determine his political attitude, and affect him in all-controlling ways.

Modern Group Psychology.—It is only recently that the importance of the group-mind which constrains in many ways the individual mind has been emphasised. An ever-increasing number of thinkers has now begun to believe in the fundamental utility of the functional organisation of society. Durkheim, for instance, advocates the independence of each national occupational group with subordinate

local organisations which will constitute a regulative body separate from the State, though subject to its general supervision. He thinks that the idea of territorial representation is a heritage from the agricultural or municipal society of the past, when interest in one's locality meant the same thing as interest in one's occupation, and believes that the occupational group will succeed the territorial district as the fundamental political unit. Guild-socialists and writers like Benoist, Duguit, Roscoe Pound and Laski are recommending the incorporation of the occupational groups into the State. There has grown a new attitude of Political Science and Jurisprudence. They start with the postulates of the new group-psychology about the reality and independence of the social mind, and regard the State as an organisation of various functions and interests. Instead of the search for the source of law and sovereignty, there is emphasised the study of groups and their important mutual interests and relations ; instead of the distinction between sovereign and subject, there now comes to the fore the interaction and interpenetration of group-wills, though the community, however, retains its cultural identity. All this indicates the change to a political realism ; the doctrines of the pluralistic State as well as of the real personality of groups mark this transition. It is true, however, that as a result of the Industrial Revolution, and the class struggle, the industrial group has been emphasised more than any other form of association. Indeed, in the West it is the occupational groups which are active at all times, the industrial realm being preponderant in its influence. But in the East it is not the occupational group but the village community which possesses the greatest amount of interest and importance for the individual. Thus political realists have to depend upon ethnic and social history for a study of the distinctive group organisation on which is based the system of social and political control. The inquiry must be comparative-ethnological. Political reformers, again, should direct their efforts to the improvement of that group, which in the particular society attracts the respect and loyalty of the majority of men.

Modern Political Analysis.—The New Politics will recognise the all-important fact that there is an enormous mass of given social conditions, habits, and ideals which press upon the individual irresistibly and determine the direction in which his special capacities and energies can be developed most speedily and most easily. Starting with the ethnogenic and social constitution the New Politics will thus take the political institutions and circumstances as they are in the social setting as irreversible facts of political evolution. It will study political structure and function in the same scientific spirit as a botanist or a zoologist examines the flora or fauna of a particular region, and their lines of evolution.[1] It will be thus objective and regional in its outlook. It is opposed to the present system of Politics, which is essentially deductive in its method and teleological in its aim, being founded upon hypotheses and generalisations derivable from the polity of a single group of nations in the occident. Viewed from the genetic or historical standpoint, the New Politics is based on the recognition that political evolution is not one straight-line development, but multilinear and diversely ramifying no less than the course of biological evolution. Regional Genealogy will trace the course of development of each particular political type as a distinctive entity; while Comparative Political Genealogy will show the broad movement of world history in and through the diversely ramifying evolution of types and regions. Thus in each case there will be two stages of analysis in Politics: (*a*) Special or Regional, by which we reach in the first place certain intermediate generalisations based on national and historical surveys. But we do not confine ourselves to National or Regional Politics, which errs by setting up a sectional or even an exclusive ideal as universally true. Similarly Political Genealogy misses the true historico-comparative method by losing sight of the universal dynamic forces of history, in which particular historic cultures have their origin, and is apt to regard the particular stages in a particular historic series as the general line, and even the ultimate goal of political evolution.

[1] Gettel: *Problems in Political Evolution*, pp. 45–6.

(*b*) Comparative or Synthetic, by which we collate and compare, according to genetic and comparative methods, the provisional bodies of intermediate generalisations based on the study of facts and norms of diverse political types and regions, and reach certain universal principles and causes of political life. Thus there is not only a distinct field of Regional and National Politics as comprehended within Universal Politics, but Universal Politics cannot be formulated unless Regional Politics, inductive and genetic, reaches a high degree of scientific development. It will accordingly be long before we can attempt a complete treatment which ought to combine : (1) a deductive psychological analysis (guided by recent advances in social and group psychology) in the formulation of political concepts and laws ; (2) a method of Comparative-Regional Politics, on the plan and pattern of a multilinear as opposed to a unilinear evolution ; and (3) a genetic-historical method in tracing the genealogies of different political categories, ideals, and organisations, and the trend of world-history, all leading up to the goal of Universal Politics.

CHAPTER IV.

RACE-GENESIS IN POLITICS.

Development of Comparative Studies.—Hitherto, the comparative study of Politics has been represented in the main by investigations into Western political structures; though comparative observation long ago had shown rich promise in the work of Montesquieu, who analysed the relations between the systems of law, forms of government or the moral conditions corresponding to these, and the geographical facts with which various states and peoples, Eastern and Western, have to reckon in their development. Montesquieu's knowledge of the East was casual, fragmentary, and uncritical; so were the other studies which sought to present not scientific accounts but merely interesting and entertaining specimens of types of distant society. It was left for the nineteenth century, dominated by the Darwinian concept of evolution, to begin the scientific study of man and of society. But even here the conception of evolution as applied to social phenomena lost much of its scientific rigour. The search for relationship yielded its place to the search for a social telesis. An attempt was made either to derive all social forms and manifestations from an original parent stock, or a hypothetical norm, or to think of the process of evolution as following a definite course to a determinate end. The unscientific concept of social evolution as a simple and unitary process prevented the classification of social types and their historic phases: and yet, without this classification, historical and comparative methods cannot be fertile in discoveries. But the sociological studies, however inadequate in scope or faulty in method, were encouraged by the missionary, commercial, and scientific

enterprises of the civilised nations of the West as well as by the extension and necessities of the Indian Empire, and were in intimate connection with the movements of race-romanticism and folk-study which were animated by enthusiastic belief in the historical and traditional life of groups and masses. The labours of Max Müller, Whitney, and others in the domain of Comparative Philology stimulated comparative enquiries into the domains of religion, of folk-lore, and of legal institutions, and Eastern experiences began to attract the attention of Western savants. In the field of Comparative Jurisprudence in particular, Hindu, Roman, and Greek materials, handled by generations of workers, have furnished significant generalisations as regards the early legal notions of the Aryan group. Similarly Hommel, Robertson-Smith and others did for the Semitic group what had been done in a greater degree for the Aryans by List, Schrader, and Sir Henry Maine. But such work as Maine's *Ancient Law* was, after all, a presentment of Roman legal history. It is true that the testimony of the Aryan languages as regards similar terms or of the common stock of legal customs denoting family organisation cannot be neglected; the patriarchal family must be regarded as the unit and norm of Aryan society. But comparative jurists should not stop with an inquiry into the rise and development of the family and the village community. We shall have to study not merely origins but also developments among different races. And in studying Race and Racial types, as well as genetic conditions and causes, Comparative Jurisprudence (as also Comparative Politics) should renounce the chronological limitation confining such inquiries to the domain of antiquaries, as that of Hearn, Coulanges, or Savigny; or the ethnological limitation confining them to institutions of the same race, as that of Maine or Robertson-Smith. The group organisation that has been the development out of the primitive family, the clan, the tribe, and the State, and the original and essential democracy evolved within the groups and unfolding its exuberant variety of institutions and customs in diverse cultural regions, demand comparative investigation in a new science of Political

Ethnology (or Ethnologic Politics). In the study of political origins, the ethnologic and social constitution of races and regions which, considered from a certain stage of development or under a like special aspect better known, show themselves unmistakably to be of political nature are, on the contrary, rejected as beyond the "official" scope of political science.[1]

Social Evolution by Stages.—Dargun and Hildebrand, Post and Köhler have treated Jurisprudence as a part of the comparative history of culture, grouping similar phenomena as a sequence of stages. In a like manner, similar political facts and relations appear over and over again in history, because all peoples and tribes, no matter what their race and geographical position, go through similar series of social arrangements. For instance, Albert Hermann Post drew up the following table [2] of consecutive stages: "Four gradations—the tribal, the territorial, the seignorial, and the social. The first has as its basis marriage and relationship by blood; the second, neighbouring occupation of a district; the third, patronage relations between lord and dependents; the fourth, social democracy or intercourse and contractual relations between individual personalities." In the second half of the nineteenth century the "anthropological" origin was advocated in various fields of social studies. Bachofen's investigations on mother-right, Morgan's on classificatory relationship, McLennan's observations on exogamy, Bastian's ethnographic parallels are well-known illustrations. Attempts were also made to formulate generalisations as to the normal stage of development. From the juridical point of view, we find, for instance, Maine's law that the course of development proceeds from status to contract. Kovalevsky followed Maine in his historical-genetic studies of Russian primitive institutions, particularly the village community. Post's materials were gathered from the life of savage and barbarian tribes. R. Dareste, Köhler, Kovalevsky, and others gave excellent sketches of legal customs and institu-

[1] Vinogradoff: "Comparative Jurisprudence," *Encyclopædia Britannica*, 15th edition.
[2] *Ibid.*

tions somewhat indiscriminately collected from all parts of the world. But their work has its justification in the necessity of first surveys on broad lines. Steinmetz's monograph on crime and punishment is an excellent example on the proper application of the comparative method in the study of the growth and development of a particular institution.[1] Marriage, husbandry, crime and punishment, succession, possession and contract have all been treated by the anthropological school as devices to meet varying social conditions, and the relative character of the solutions obtained has been as much to the fore as the analogies in the treatment of similar problems by nations and tribes situated in very different surroundings. From the economic point of view[2] List, Hildebrand, Roscher, Bucher, Grosse, and Hahn have arrived at generalisations relating to a consecutive series in economic development. Le Play and the writers of *La Science Sociale* have dwelt in the first place upon the development of the family type and then the evolution of the principal mode of existence, though their principles of classification of the stages of human evolution are not arranged harmoniously. Steinmetz has assorted human societies into four branches according to the predominant characteristic of their intellectual life, and these four branches form a progressive series. From a political point of view the patriarchal theory of State origin and development has been formulated by many writers. The following are the stages arranged in their natural order: (1) a rigid family organisation as furnishing the first adequate form of government; (2) a group of kinsmen, or gens, held together by the oldest or the most capable man of the house; (3) the introduction of adoption: the gens widens into a tribe and the tribe into a commonwealth. Others, again, following Gumplowiez and Ratzenhofer, trace the evolution of organised societies through the struggle of races and arrange the steps of political development in a consecutive series. According to Ward these steps are: (1) *subjugation*

[1] Cf. Vinogradoff's excellent survey in his *Historical Jurisprudence*, Vol. I, Chap. VII.

[2] Steminetz: *Classification of Social Types*, which has offered valuable suggestions; Thomas: *Source Book for Social Origins*.

of one race by another; (2) origin of *caste*; (3) gradual mitigation of this condition, leaving a state of great individual, social, and political *inequality*; (4) substitution for purely military subjection of a form of *law*, and origin of the idea of legal *right*; (5) origin of the *State*, under which all classes have both rights and duties; (6) cementing of the mass of heterogeneous elements into a more or less homogeneous *people*; (7) rise and development of a sentiment of *patriotism* and formation of a *nation*. Oppenheimer, Small and Jenks dwell especially on the important parts played by war and property in the original development of the State. Fouillee distinguishes four phases in social evolution: (1) Rudimentary and decentralised societies, in which the whole exists for the parts rather than parts for the whole, *e.g.*, savage tribes. (2) Societies of imperfect centralisation and decentralisation, in which the whole exists more for the parts rather than the parts for the whole. Then there is a centralisation more involuntary than voluntary, under the action of a supreme chief, whose authority each tribe or each individual longs to escape. It is, so to speak, despotism in balance with anarchy. The Middle Ages with feudalism furnishes an example. (3) The third class contains the military states of Spencer, in which the individual exists for the State rather than the State for the individual. (4) Superior societies, in which the State exists for the individuals rather than the individuals for the State—the highest form to which the future belongs. In all these cases it is imagined that the analysis is based upon the observations of ethnographers, though this is doubtful. Again, the norm and the type of evolution are furnished by the social history of Western Europe, and all forms and institutions which do not conform to it are regarded as primitive and rudimentary. The successive phases of the development of Eastern polity in particular are ignored.

Factors determining Political Types and Series.—But in this broad march of universal history variations of types and forms are inevitable as a result of adjustment to different geographical and ethnic series. The diversity

of political types is as clearly established as a universal trend of political evolution even as the diversity of races and peoples is as discernible as the unity of the human species. While there is a general movement of political evolution, it is embodied in diverse political institutions arising out of a diversity of physical, biological, and psychical factors, and these institutions congregate round particular cultural regions and zones so as to form particular political types and series. Such types and series are determined by different sets of factors bound up and working together, the chief of which are :

(1) External conditions of regional geography and physiography which lead to adaptive physiological modifications and differentiation of peoples and races in point of temperament and psychical endowment.

(2) Internal organic factors such as the biological and psycho-sociological instincts and impulses as well as compelling life-ideals and social values, which vary within ever-extending limits fixed by heredity and habit. Apart from differences in both morphological and physiological characters, psychical and social characters are especially adapted to a particular *milieu*, and with continued isolation and segregation result in different Psychical Races. The deeply humanised and communal instincts of the Hindus and the Chinese on the Eastern Asiatic sea-board and the strength of their distributive impulses have resulted in rich social and communal experiments and constructions ; while the instinct of individual assertion and aggression and the strength of creative impulses have contributed towards the success and efficiency of the mechanical exploitative industry and state among the Germanic and the Mediterranean peoples.[1]

Racial Characteristics.—The Aryan races, great law-givers and state-builders, were represented by the Hindus in India, the Parsees in Persia, the Afghans, Kurds, Armenians, Hellenes, and Germanic peoples. They secured vast political power and exercised undisputed supremacy over

[1] For the causes of the creation of physical types, cf. Brinton : *Races and Peoples*, pp. 40–4, and Ripley : *The Races of Europe*.

the greater part of the world by means of those forms of polity and governmental organisation which are still the treasured possessions of civilised humanity. They all have based the State and Society on the foundations of the patriarchal family, the clan, and the tribe. They have established at all times, either directly or indirectly, a government controlled by law, whereby the prerogatives of king, too, were defined and essentially qualified. They less expect than the Semitic race the principle of governmental policy and organisation to be conveyed to them by divine inspiration, a sentiment which naturally leads to an absolute or modified rule of the priesthood. In perfecting their political organisation, they regulate themselves by human experience. When we read in the Laws of Manu that ten towns constitute a district, ten districts a province, ten provinces a State, we are at once reminded of the fact that in Europe the Germanic nation follow out the same idea in the primitive constitutions which we find among their Aryan cousins in India (Bluntschli). Self-government has had diverse origins in the history of tribes and peoples. Among the different branches of the Indo-Germanic race the mode and practice of it have varied according to the economic and political circumstances of the particular regions. Another branch, the Iranian stock, in the boundless steppes and deserts and in contact with the Shemites, has given to history the vast undertaking of the military and administrative monarchy of Ancient Persia and the religion of the opposite principles of good and evil. The Mongol conquerors and devastators, full of eminent political capacity, have built up in the plains of China a deeply socialised political community on a basis of social harmony and concord between man and man. The entire self-government was developed here out of the patriarchal family and the village system; and the Chinese family overshadowed the State or at least was a co-ordinate institution. The political ideal of the Semitic races was theocracy; they did not distinguish between religion and politics, between the clerical body and the body-politic. They attributed all ownership in land, not to man, but to God; they recognised

no social stratification. They were, therefore, not distinguished by practical organising ability in the making of societies and states, but by their simple and strong faith, resulting in intolerance of other cultures. The Arabs as a distinct branch of Semitic family still exhibit the simplicity of intellect of the Semitic genius, which built up the theocracy of the Caliphate, and which, in the simplicity of the social organisation and in the proximity of the desert, established a type of social democracy under the influence of Islam, extraordinary in its depth, elevation, and power. The Celts, valiant and imaginative, sensitive and adventurous, who have been the champions of many a lost cause, and the Iberians, firm and courageous, gloomy and fierce, still preserve themselves pure and unmixed in certain provinces or regions. The idealism behind the co-operative movement and the obstinate resistance to the English scheme of home rule in Ireland still manifest the Celtic temperament. The mixture of the Latin race with the Celtic and Iberian races produced the nations of Central Europe, which are, without distinction, called Latin nations, notwithstanding the well-defined differences of their inhabitants. France, Spain, Portugal, and Italy constitute this class. Southern France, though its basic layer is Gallic, still manifests all the principal characteristics of the Celtic race. Under the influence of the Latin discipline, the French are the most idealistic among the Western nations. Lively, excitable, sensuous, affectionate, indolent, and musical, the French are an example of the sanguine temperament. They are the champions *par excellence* of absolute causes and moral interests. They have successively given to the world the ideal of all the institutions and the moral theory of all the governments which have appeared one after another during the past fifteen hundred years in the West. France has been the foremost champion of the Papacy, the moral ideal of the Catholic Church : she drew from the feudal system the ideal of chivalry ; she conceived the ideal of monarchy ; she produced in Calvinism the most absolute and most metaphysical form of reformed Christianity ; finally, she conceived, by the French Revolution, the ideal of the government

of human societies which is still dominant.[1] The Germanic race is the most practical and powerful, materially, of all the races to-day. Its genius for political organisation, for conquest, colonisation, and commerce has marked it out easily as the dominant and ruling people. Not only does it occupy Germany, but it embraces also, under the name of the Scandinavian race, Denmark and Sweden, and, under the name of the Anglo-Saxon race, England and the United States of America. To this race belong to-day the world's most active merchants, the most energetic explorers, pioneers, and empire-builders.[2] The Slavic race is the last comer into history. Each of the nations of modern Europe has aspired to political dominance, and has obtained it for a greater or less length of time. This is now the ambition of the Slavic race, which recently has begun in Russia the realisation of its mighty dream. The Slavic genius is remarkably mild, social, subtle, imaginative, mystical, and entirely distinct from the genius of the other European races. The Slavs are remarkable for the strength of communal instincts and social sympathies. It seems that if the idea of fraternity is to be transferred into institutions and introduced into the political life of nations, Europe will owe this result to the Slavic race, which understands this sentiment more profoundly than any of the other races, just as the Celtic and Latin races best understand equality and the Saxon race liberty. The Slav peoples are now on their trial; in spite of excesses and errors they yet show great endurance and a profound social sympathy and brotherhood among the bourgeoisie, the intellectuals, the peasants, and the workpeople in an hour of danger to the new-born economic democracy. With some touch of the unreal and mystical, they may rescue the Germanic races from the mad pursuits of monopolistic appropriation and advantage, mechanical efficiency and power which the latter have derived as an inheritance from Rome. The Hindus and the Germanic peoples are the two extremes in the series of

[1] *Cyclopædia of Political Science*, which has been freely used in this chapter.

[2] Deniker: *Races of Men*, and Ross: *Principles of Sociology*.

Aryan races. The Hindus, wide-minded and largely endowed with the capacity for social and political experiments, have shown a synthetic faculty, the gift of feeling at one with the universe and a universal humanity. In the assimilation of diverse stocks and races into her social hierarchy, which secured the possibility of an advance from a lower to a higher rank, or in the ideal of government which must embrace the conquered as well as the new settlers, India has shown a wide catholicity, and clung to a feeling for all that is human, regardless of race, nationality, or of the fatality of circumstances and the contingency of human events. The preference for human and personal, rather than worldly and practical values, was an outcome of the peaceful development of the Indo-Aryan polity on the foundations of patriarchal and gentile government among a people, homogeneous, widespread, large in numbers, and inhabiting almost a continent; and this even now expresses itself in the strength and vigour of her group-life, which was originally so oriented in theory as to satisfy material as well as spiritual needs on the basis of a social federation securing to each group and its members their rights as well as their duties in a universally recognised order. The scheme of self-government in village communities and guilds, caste assemblies, and folk-moots that is an Indo-Aryan development was built upon concord and solidarity sought by a communal standard of human dignity and honour and a socialised ethics and religion of the people.

Latins and Teutons.—Gehring thus explains many contrasts in the political development of Græco-Latin and Teutonic peoples on the basis of differences in natural temperament.[1] The celerity of action in the South throws light on the frequency of assassination in Latin countries; it enables us to understand the enthusiastic support received by victorious generals and the speedy disgrace awaiting those who have suffered defeat; it explains many episodes in the Revolution of 1789, and furnishes the reason for the general instability of government among the Romance races, as well as the cause of many enactments which are not neces-

[1] *Racial Contrasts*, pp. 96–8.

sary among calmer peoples. In the French constitution, for example, there are special provisions designed to make sudden changes in the government impossible, and the inflammability of the Gothic nature necessitates the rule that when the president of the Chamber of Deputies puts on his hat all argument must cease. The inertia of the Teutons is accountable for the calm deliberation prevailing in Germanic legislative bodies, and it had much to do with the disruption of the old German Empire and its long inability to revive, and with the silent abdication of the Kaiser and the bloodless revolution that ended the war. The persistency of the Teutons is shown in the patience and diligence of the German labourer, the exhaustive researches of the university professor, the dogged resistance of the English soldier, and the indomitable energy of the Yankee speculator. It may account for their marvellous success in colonisation, and their mastery over the material world; for the commercial prosperity of the Dutch during the seventeenth century, the English supremacy of the last hundred years, and the German and American emergence of to-day.[1]

Turanians, a Coming Race.—Another manifestation of race or national consciousness is noticeable in Europe; it is fraught with tremendous potencies. The Turanians, who were great conquerors and empire-builders, and who yet show great virility and vigour, are a widely scattered folk, but in Europe they show undoubted affinities in language as in the physical and mental make-up. They are all noted for great physical vitality combined with steady nerves. Though somewhat deficient in imagination, they are richly endowed with patience, tenacity, and dogged energy. They are now feeling the bonds of race unity. Bulgarians are ceasing to think of themselves as Slavs, Magyars as Western Europeans and Turks as primarily True Believers; but instead all three are considering themselves fellow-Turanians. In Russian Central Asia, a compact block of seven million fanatical Turkomans are to-day consciously stirring to the leaven of Pan-Turanism. These, as well as many other Turanian elements in Russia, the Finns of Finland and the

[1] Cf. also Coolidge: *The United States as a World Power*, pp. 87–8.

Baltic provinces, the unassimilated Finnish tribes of the Russian North, the Tartars in the Volga region, Crimea and Trans-Caucasia, nearly seven millions strong, the natives of Siberia, and, in the Far East, the Mongols and the Manchus —have been awake more or less to the needs of racial self-preservation. From the middle Danube to Mesopotamia, from the Volga region to Siberia, it is a widespread virile consciousness which may form a nationalist dynamics of tremendous power shaking the fabric of the whole world.

Racial Differences and their Causes.—Racial temperaments are an interesting study, though, no doubt, they are modifiable by climatic and social changes [1] and by historical differentiations based on language and culture which cut athwart genuine race-lines. Such differences are reflected in a people's religion and mythology, language and literature, laws and customs, modes of thought and figures of speech. They furnish the bases of such sciences as Comparative Religion, Comparative Philology, Comparative Æsthetics, and Comparative Jurisprudence. Influences of the nature environment and the social environment affect the race as an active agent, giving purpose to race activities and determining the direction which they shall take. They mould the race mind and character, determine the type of economic, political, and social life, and produce effects none the less important because they are secondary. Effects of climate and the social environment, both direct and indirect, are thus united in political-geographical phenomena, and are especially manifest in the rise and growth of distinctive political types and forms, and their permanence and strength.

Divisions of Political Science.—The historic or political tradition has been built up layer upon layer by the interaction of the above-mentioned external and internal factors in the life of a nation. Initial differences are confirmed and perpetuated by the same factors of organic life which divide floral zones and faunal realms, and thus political types or regions evolve as distinctive entities. The *ensemble* of conditions contributed by the bio-geography, and the anthropo-geography, the social psychology, and the political history

[1] Cf. Galton: *Hereditary Genius*, chap. XXI.

of a people accordingly supplies us with distinctive elements in the determination of a particular political type or region as a separate entity; it furnishes the foundations of Comparative and Regional Politics. Thus we divide Politics into two parts: Regional (or analytic), and General (or Comparative). The former studies a special political system from four points of view: its morphology, its ethnology, its psychology, and its genealogy (Historical Politics). The latter part (Comparative Political Ethnology) aims to discover general principles and causes of political evolution by the aid of comparisons of the several regional systems of politics already analysed by the first branch of the science.

New Views and Conventional Errors in Politics.—The result of the present studies will show plainly that our general theory of regional and ethnic types would mark a new stage of thought in politics. The introduction of the idea of ethnographic analysis, and this both from genetic and comparative viewpoints, is the marked feature of our system, and, therefore, would represent the new phase in the development of Political Philosophy. How often have politics, economics, ethnology, jurisprudence or sociology laid down universal laws, drawing their premises from only one class of social organisations, ignoring the diversity of types, and even denying practically their existence with a liberty that is truly naïve? The political philosophers conceived one polity for all peoples, deriving it from the principles of evolution of the Greek and the Roman polity. Our scientific economists were philosophers who knew man but a short time, and conceived the economic organisation which was the outcome of industrial development. The jurists conceived one law for all peoples, deriving it from the principles of Roman Law. Where an historical filiation to the Roman system was absent, they invented that figment and abstraction of a *jus gentium*, for which they supposed a norm and type in a so-called Law of Nature. According to the conception of the ethnologists, every social condition, however centrifugal, must represent a rung of a single ladder, and, in conformity to that tendency, every phenomenon discovered, however rare it may be, is generalised

as some stage in the development which every race, every people, has traversed in the past or must traverse in the future. For them it is always the same monotonous road. They are, however, obliged to recognise several too-evident deviations—for example, the absence of a nomadic stage in the history of the more civilised peoples of Central America and Peru: but that in no way changes the general and deep-rooted tendency to ignore classification (cf. Ratzel's criticism, *Autobiographie*; and Steinmetz, *Classification des Types Sociaux*). In fact, in all the sociological and humanistic sciences we find a partiality for the one-straight-line evolution, though multilinear evolution is the valued possession of the botanists and the zoologists. This tendency begets another, a predisposition of the mind to regard those earlier institutions which do not conform to those prevalent among the Eur-American nations as the initial and rudimentary forms of evolution. Examples of this tendency are quite common: the general assumption of early communal forms of government in the field of Politics, of early communal ownership in the village community in the field of Economics, the universality of mother-rule before father-rule in the field of Ethnology, of early status and gentile organisation in the field of Jurisprudence, of the pluralistic and polytheistic cults in the field of Comparative Religion, of the isolating or agglutinative forms of speech in the field of Comparative Philology, are but familiar instances. In most of these cases, the rudimentary forms are capable of the highest development along their own lines, and in fact communalism in state or in economic organisation, pluralism in religion, mother-rule in domestic polity, status in the form of trade union laws, etc., and the isolating and agglutinative tendency in modern analytical developments of speech, are again coming to the forefront among the most advanced experiments of social or humanistic construction in the world. Four types of error thus usually arise: first, comparative studies by ignoring any scientific classification confound in the course of argument primitive and civilised peoples of various types. Secondly, though the preponderant influence of the region and mode of life and of the

social and anthropological combinations of a given people upon all social manifestations is coming to be recognised, the recognition is confined mainly to comparative ethnology ; politics, economics, jurisprudence and anthropo-sociology still ignore the complex and varied data in the diverse zones of cultural distribution. The diversity of social forms when admitted is recognised in the abstract ; such recognition, however, because of the same defect, is not thorough and substantial enough to be always present in the minds of political philosophers, economists or jurists, and to influence all their researches—even to the unconscious formulation of their hypotheses. Thirdly, social, political, and juridical forms are regarded as eternal and immutable, even the happy and lasting results of a straight-line development. The influence of conditions which differ by their quality, quantity, and order of succession is ignored. The Eur-American forms are considered to be the last and final terms in a determinate (if not finite) series ; different groups of races are considered to have accomplished the same succession of changes, traversing the same monotonous series but lagging far behind ; and the economic and political domination of the races that trace their forms to the Romano-Teutonic line serves to perpetuate wrong hypotheses and partial or sectional analyses relating to human life and forms of society even as race and colour bias stifle an unprejudiced enquiry. Fourthly, the narrow and limited conception of a straight-line evolution is accompanied by the mere habit of abstract reasoning and the aversion from practical, though more exacting, research, based upon historical and ethnographical materials. Doctrines are still being built up by deductive generalisations ; historical and comparative induction occupies but an insignificant position, and the rich and varied data of social experimentation in diverse cultural regions are all ignored, since by a few deductions a whole series of laws may be construed, and the diverse types of cultural evolution brushed aside for practical schemes of construction or renewal.[1]

[1] Kocourek and Wigmore's *Formative Influences of Legal Development* ; also Steinmetz's *Classification of Solid Types*, which has largely been followed.

CHAPTER V.

AFFINITY AND CONFLICT OF POLITICAL REGIONS.

True Method of Political Study.—A regional and ethnic approach to Politics, guided by historical and comparative induction and utilising the conquests of descriptive sociology which are neither new nor unimportant, is the only right method, which can establish Politics on broader and more scientific foundations. The new sciences of Comparative and Regional Politics will thus emerge as branches of Cultural Ethnology, based on a genetic and comparative study of the political values and environmental conditions which differ in their quality, quantity and sequence in different groups of races and which in consequence have produced types of evolution, and as a result diverse types of culture, that will probably never resemble each other.

Sources of Political Differentiation.—The groups of dominant instincts and impulses of particular cultural stocks and their corresponding life schemes and political values and the physical conditions of regional geography and physiography to which, indeed, the psychical factors are adapted and correlated in the course of evolution, thus produce diverse multilinear series in diverse cultural zones. Different types of social and political structures, like different species of organisms, come to perfection in different natural regions; and it may be stated as a general rule that a species, whether of plant or animal, economic or political form and structure, once established on one point, would spread over the whole zone congenial to it unless some barrier were interposed to its progress. In other words, as the surface of the land is divided into numerous natural regions whose flora and fauna include some distinctive

species not shared by others, so there are also great zones of cultural distribution, each of which exhibits the development of a distinctive type of social institutions and arrangements. The fauna and flora of the region with which man stands in so varied a relationship, which supply him with food, clothing and shelter and the raw materials of industry, become indispensable assistants for man's manifold development and culture. Thus the variations in race and civilisation and in types and forms of State may be traced to the ultimate processes of differentiation caused by variations in situation, climate and soil, and to which the constantly increasing mingling of races has also contributed. The distribution of institutional forms is determined not merely by geographical elements, but also by the ethnic and economic tradition and the conditions of control and reaction, nor is it limited by a mountain ridge or an arid desert.

Factors in Regional Politics.—On a closer inquiry into the geographical distribution of animals, it is found that large regions are generally separated from one another by natural barriers of different kinds—large seas, high mountains, extensive wildernesses—difficult to surmount. If some of the regions in sharp zoo-geographical contrast are less clearly separated geographically, *e.g.*, India and Australia, it is probably due to their having been more definitely divided at an earlier period. That each region retains its own peculiar fauna, is primarily ascribed to the fact that the animals have lived for a long time as a relatively circumscribed group, and during this separation have been modified in one direction, whilst their relatives elsewhere have developed in others. Though, in a similar way, the distribution of races and institutional forms in great part has been determined, yet the influence of the movement and migration of cultures, or of the imitation of ideas or customs, cannot be ignored. Regional Politics will take into account the combined results of differing race as well as differing environment. Thus the effect of isolation and segregation in the regions of zoo-geographical distribution are supplemented and in part corrected by the

distinctive factor of historic tradition and a cumulative environment based on such tradition, which mark off man's social life from animal or plant evolution. Man has a history in a sense in which animals and plants have not. And this history enters as a vital formative factor in the form of cumulative and progressive tradition into the evolution of races and their zones.

Illustrations of Regional Political Development.— It is not merely that the character and direction of political development varies among island peoples, steppe nomads or mountain stocks.[1] The virile and expansive political power of the peoples of the plains or river valleys; the capacity for rapid conquest and political consolidation of the nomads; the vigour and warlike ability of upland races; the feudal and republican polity of a mountain country, with its many secluded valleys; the autocratic government in plateaus, far removed from the sea, with no great rivers or mountains but only broad steppes and deserts; or the political and maritime leadership and imperialistic necessities and extensions of island peoples, are obvious: the diversity of plain, steppe or mountain politics arrests the attention of a casual student of history. The free trade policy of England, the militarism of Germany, the whole complex question of European balance of power and the Bosphorus, the Monroe doctrine of the United States, its Asiatic counterpart in the Pacific or the aggressive policy of Japan and Russia in the Middle East, are connected intimately with the regional conditions of states. But what is more important is that the biological and sociological factors govern in many essential respects the structural type and function of the political organisation. A very large and independent land-mass, as in China and India, which allows of a more or less equable and uniform diffusion of population, and maintains it in so great numerical force that alien intermixtures are powerless essentially to modify the gradually developing ethnic type, is favourable to the development of a non-exploitative humanised polity and industry, and this is especially the case where the

[1] Cf. Huntington and Cushing: *Principles of Human Geography.*

continental structure offers the manifold environment and segregated area for an individualised civilisation. Economic self-sufficiency rules out emigration and exploitation, militarism, and imperialism. A fertile and inexhaustible soil, as that of the deltas and river plains of India and China, can support an enormous population on a small area. Thus an intensified local life and creativeness and decentralisation in politics and an equable diffusion of wealth in agricultural distribution are the distinctive features of such a region; the communalistic polity, with its emphasis on pluralism, early develops here on the basis of social peace and concord between races. Such is the type of Eastern communalism as in China and India, and to-day it is in conflict with another political type associated with island nations, called Imperialism, which combines political and militaristic organisation on an exploitative basis with manufacturing industry and maritime trade on capitalistic lines. An Asiatic variant of English imperialism is promised us by insular Japan, the proximity of whose situation and the affinities in whose ethnic and cultural type have added to the keenness of the conflict of political types.

Middle East a Homogeneous Region.—In the Middle East [1] there is a considerable unsuspected uniformity of climate throughout vast areas; as an example may be noticed the similarity of climatic influences which affect the Aral basin on the one hand and the Pamir, Tibetan and Tian-Shan uplands in another direction. The mountain systems of the Northern part of the Middle East appear to belong to a single family, while in South-East Asia the orographic influences due to the mountain systems of the North have been the same, and have accordingly led to a similarity in type families of agriculture and of economic life. The sweltering plains of the Indian peninsula and the deltaic valleys of Indo-China grow the same types of tropical vegetation. The location of vast regions of similar mean annual temperature and the relatively short distances which separate them from one another cannot but have important effects. In their indirect influences on the population, its

[1] Angus Hamilton: *The Interest and Importance of the Middle East.*

mode of distribution as well as the modes of subsistence, we have the foundations of a common social structure and polity. They tend to produce homogeneity of culture and similarity of political forms and conditions of production over large territories. Particularly we must regard China, Korea, India, and Further India as divisions of a single cultural region, representing the same distinctive species of political form and economic system, with their history, consisting more or less of transplanting action and reaction.

Nations of the Plains.—But mountain-guarded and sea-girt India developed a relatively individualistic civilisation. Less subject to conditions which necessarily imposed changes than the nomadic Northerners or the more mixed communities from the Caucasus, the Aryans rapidly evolved a state of civilisation in which manners, customs, race and political type were identical, and through which Aryan domination over Southern Asia was established long before Mongolic peoples began to play havoc with the Middle East. Thus the history of South Asia is not chequered like that of the Northern regions, which have seen the rise and fall of empires and the fluctuations of peoples. The characteristics of the boundless plains in which the nations combine and blend like clouds of dust are reflected in the facts of Central Asiatic history. In the gorges of a few mountains, a people may possibly preserve its individuality. In Southern China, the mountains with their unsubdued tribes are like political islands in the midst of the Mongolised hills and plains. But any nations that have developed without disturbance of time will at last inevitably be dislodged and absorbed in another nationality, only to share with this in its turn a similar fate. The Chinese themselves were once a nomadic race which, setting out from the shores of the Caspian, continued to wander until it found a home on the banks of the Yellow River and in the plains of Shansi. Conditions of settled existence developed the peaceful and prosperous Chinese civilisation, the highlands of Western China offering some protection against the inroads of outside nomads. The Chinese capacity of endurance, and a complete knowledge of agriculture

developed under settled conditions, led the Chinese economic and political evolution to a path in a contrary direction to those marked out by nature for islanders such as the Japanese, or for the fierce nomads of the steppes. The grassy uplands of Mongolia, the plains of Manchuria or the ice-clad fastnesses of the mountains and forest-strewn valleys of the farthest North, have nurtured the world's destructive nomads and predatory races, who have left an indelible impression on the political forms and institutions of the whole Asiatic Continent.[1]

Nomadic Races and their Settlement.—The nomads of Central Asia are a direct product of the climate and soil of the greatest plateau in the world; and their influence in separating the great coast nations of the East, West, and South from one another has been far more potent than that of the land itself. But they were not content with independent life and development in the little worlds of their own on the heights. Mounted hordes often flung themselves against both China and India, but the effect of each invasion was dissipated so soon as the invaders experienced the subtle blandishments of the Chinese and the Indian civilisation. The Chinese had shown indeed by their support of Buddhism and their agricultural colonies how even the barbarism of Central Asia could be tamed. Buddhism, with its abstract concept of the Void, suited very well the character and impulse of the nomad and the boundless horizon of the sandy desert and grassy steppe, and today it finds many a convert in Mongol Asia, where it is rooted in the fantastically developed monastic and ecclesiastical system of the lonely Tibetan highlands. Similarly, an Islamite mysticism, developed under the influence of Iranian intellectual life, appealed to the nomad imagination by its directness and concreteness as well as by its profundity and love of the marvellous.[2] While China was subduing the perpetually turbulent nomad tribes by a peaceful penetration of Buddhism, which made them docile, and substituted pilgrimages to Tibet or to famous

[1] Semple: *Influences of the Geographical Environment.*
[2] *Ibid.*; Keltie: *Applied Geography.*

Mongolian sanctuaries for the old predatory and warlike expeditions, it was left to a European nation, the Russian who felt a trace of the nomadic spirit in his character and impulses, to civilise Siberia and Turkestan; and the first settlements of the Cossacks, organised on a military system, gradually deported and planted under various names, paved the way for the Asiatic empire of Russia.[1]

Political Problems of the East.—Meanwhile the struggle for commercial supremacy of the Western nations in China and the East generally, the forcible shutting of the door in the West against the East, and the forcible breaking it open in the East in favour of the West, the rise of Japan as a world power, both politically and industrially, have raised the cry of "Asia for the Asiatics" and created the demand for a recognition of the doctrine of equality between the white and Asiatic races. The recent war, in which the Indians and the Japanese fought to secure the liberties of Europe, has brought these issues to the forefront of world-politics. The doctrine of self-determination has been the basis on which many a tribespeople in South-West Asia has asserted its claims to autonomy, though the visible religious zeal has obscured the insistent claims of nationalism which they had grounded on geographical unit or natural political division. Pan-Islamism, Pan-Turanism, and African and Asiatic nationalism have been in conflict. In Syria and Egypt, Arab nationalist movements appeared years ago, and the leaven has since been permeating the whole Arab world. In great part these movements have been specifically directed against the menace of European domination, but they are also self-consciously nationalist, and as such hostile to the ruling Turk. Many of the Arab nationalist leaders to-day dream of a great Arab Empire, embracing not only the ethnically Arab peninsula homeland, Syria, Mesopotamia and Egypt, but also the Arabised races of North Africa and the Sudan. Nor should we ignore the attempt of the khanates to erect a solid block bound together by that most solid of bonds, racial self-consciousness, against the Eastern encroachments of Russia, whose triumph

[1] Skrine: *Central Asia.*

would doom all of the branches and families of the race to virtual subjugation. New spiritual and national movements in Egypt, Arabia, Persia and Central Asia have been initiated by the break-up of the Turkish Empire and the dwindling of the position of the caliphate to a mere religious headship. These are forces which the British Empire and the Russian Empire have to reckon with.

Russian Methods in Asia.—It is significant that the bolsheviks in their campaign of propagandism in Central Asia have expressed their assurances that they had no ambitions in Central Asia beyond the desire to introduce the principles of home rule amongst the population. Once order was restored it was their desire to retire and leave the Central Asian khanates to govern themselves. In Turkestan and Central Asia, Russia respected the national customs. Instead of attacking the institutions of Islam, Russia maintained the traditional methods of administration, confirmed them, extended her protection to the *mullas* and the *rais*, and established the *kurbashi* and *aksalas* in their former position and rights. Instead of at once rejecting the existing native laws, reforms in the police supervision in general jurisdiction and in the collection of taxes and similar matters were introduced and eventually replaced by Russian institutions. It is indeed along the road of civilisation rather than that of Russification that the influence of Russian culture on Moslem Asia will be beneficial.[1] In Western Asia, Persia is on the road to modern constitutionalism. Arabia and Mesopotamia, as well as Syria and Palestine, will have their lessons of government from England and France.

Britain's New Eastern Responsibilities.—In Asia Minor and in Mesopotamia, the British have assumed a new protectorate which includes an area greater even than that of India ; while it is protected by no natural defensive frontiers, is almost impossible to garrison except with a vast number of troops, and is exposed to easy invasion from Europe as well as from Asia. While the problem of

[1] For an estimate of the Russian influence in Asia, see Vambery : *Western Culture in Eastern Lands.*

military defence is most disquieting, especially towards the frontier zone of Mesopotamia in Kurdistan, which is Mustapha Kemal's country, and the Central Asian steppes behind, the racial and religious divisions also present acute problems which arouse passionate feeling among vast bodies of people in the oriental world. The only alternative is to enlist the forces of co-operation of tribes and nationalities instead of translating the rule into terms of the relative physical strength of governors and governed, if a catastrophic conflict between the British Commonwealth and the oriental world is to be avoided. According to the recent Anglo-Persian treaty, Persia promises to confide its army to British officers only and its finances to British specialists; thus she has no longer force or resources to exercise her sovereignty. Both Persia and Afghanistan control the route to India; they are parts of a single great plateau and between them they fill the gap that separates India from Mesopotamia. But, while Persia's autonomy has been threatened with extinction, the British have abandoned controls over Afghanistan of forty years' standing. The conflict of two opposing policies may be the result of the divergent interests of the British War Office, the Foreign Office and the Indian Office, which, in any case, however, agree in their disregard of the claims of region and nationality.

Risks of Self-determination.—But if the suppression of a political type or region has its dangers, the evils of an indiscriminate application of the principle of self-determination are no less serious. The theory of self-determination should be applied with due regard to larger interests of the people or the cultural region; the people or region to which it is applied should be otherwise capable of independent existence, otherwise the principle will be the cause of intrigue and be inoperative. There must be a balancing of the opposite principles of central authority and local autonomy, avoiding, on the one hand, the subjection of a people to alien control or "influence" against its will and, on the other, the multiplication of small political units which makes for instability and invites aggression. Ethnic composition, language, history, national sentiment or

geographical situation should all be considered in determining political groupings in the regions of conflicting national claims. It is only when the good that comes out of the psychological stimulus to the cultural region, due to national autonomy, outbalances the danger of the recrudescence of war due to an increase of lesser national groups that the claims of a political entity must dominate. There is also scope for political and economic leagues or confederations which will assure order as well as national cultural autonomy and guarantee the rights of minorities. Lastly, the self-determination in relation to a region's political habits and institutions must not be hampered by outside interference or substitution. For instance, nothing is more wanted than a systematic and scientific policy of co-operation with the *jirgas* of tribesmen and nationalities in the Near and Middle East where the prejudices that the Asiatic bears against Western democracy are strong and persistent.

Problems for the New Politics.—In the Far East, China, who has just emerged from revolution, is in a process of renewal, but is yet unable to ascertain the lines of her political evolution in keeping with the traditions of the past. Her new-born democracy is thus hesitating and indecisive. Japan, having already achieved her complete regeneration, is content to tread alone the path she has marked out on the model of the West. She has substituted the forms and procedure of Western constitutional monarchy for her old feudal monarchy, but her experiments towards party and responsible government have not been successful. The politics of the twentieth century will be chiefly concerned with the awakening of Asia, and whether the politics will be of peace or of war will depend on the unfolding of the political types and systems of the Middle and Far East, unchallenged by any foreign interference, or superimposition of Western models based on a supposed superiority of form or ideal. If the Asiatic races are left to secure their political evolution, based on their essential and original group-organisation, there may ultimately develop a federacy of the Eastern powers which will be a

surer guarantee of peace than the League of Nations of the West. Democratic China's experiments towards modern constitutionalism, or India's political reforms under the aegis of the British Empire, the conflicting claims of Islam and nationality among the Turks and the Turkomans, the Arabs and the Tartars, or the sovereignty of a confederacy of Arab communities and councils, can only be tested by the principles of Regional Politics; it is to Comparative Politics, again, that we look for solution of such problems of conflict of political types and regions that arise in connection with European colonisation and settlement in Asia or emigration of Indian, Chinese or Japanese labour to Australia, Canada and America; while the conditions of tropical exploitation by white capitalism, or the grant of loans to such countries as Persia and China, the concessions to railways, mining interests and mercantile concerns in Syria and Mesopotamia, or the rights of commerce and navigation in the Pacific waters, can be effectively decided by international co-operation only, which Comparative Politics can guide. Such are some of the distinctive data and practical problems of politics which only the scientific methods of Regional Politics can solve.

Separatism v. Unionism.—In all these political problems there are two factors at work. First, there is the factor of self-determination of political units, which are sharply demarcated from one another by the accidents of history (and the shifting courses of an arbitrary diplomacy). And, secondly, over against this divisive principle there is the principle of union or cohesion which binds together a number of conflicting and possibly warring units or political bodies into a central system, Pan-Islamic, Pan-Mongolian, Pan-Turanian, Pan-Arabic, Middle European, Middle Eastern, etc., over-riding all the petty claims and interests of separation, miscalled self-determination. The solution of such conflicts is not to be found in national (or religious) sentiment, or historic conventions, but in dispassionate considerations drawn from a study of political zones or regions in a physico-geographical as well as an ethnic-sociological sense. Any attempt at a political arrange-

ment, whether by undue segregation or undue consolidation, which upsets this natural balance of State politics by a so-called Balance of Power, will be futile, and the natural forces of integration as well as segregation of a political region will slowly re-evolve the type of political organism adapted to the region in question. This very principle ensures not only the integrity of a political region or type against the encroachments of alien usurpation or domination, but also forbids a system of economic exploitation or enslavement from without on the basis of political mastery.

CHAPTER VI.

VARIATIONS IN POLITICAL TYPES.

Classification of Societies.—Comparative Politics has its foundations in Genetic Anthropology with its distinguishing types of physical race, in Cultural Ethnology, with its geographical zones of ethnic culture and in the Philosophy of History with its law of three or more stages. Comparative Politics must look for guidance to Cultural Ethnology in classifying the types of polity and its historic phases. Ethnogenic evolution enters as a vital formative factor in the form of political tradition into the evolution of races and their zones. Ethnological studies themselves have to look for guidance to folk and race psychology, especially the comparative psychology of race ideals and social values, and to anthropo-geography. The collection of legal and ethnographical parallels and contrasts which has proceeded in so fruitful a manner for the use of Sociology and of Jurisprudence as in the works of Tylor, Lubbock and Lang, as in those of Morgan, Post or Köhler will be of greater promise for Comparative Politics. A means for the avoidance of a too superficial classification of races according to the regions which they inhabit is furnished by a study of Bastian's works on the psychology of peoples, or by Friedrich Ratzel's zones of the distribution of races, arranged on purely geographical principles (Helmholtz in his *World's History*). Comte's classification of societies is too abstract; the increase of ethnological knowledge since his day has shown the importance of distinctive traits in Comte's inferior divisions which he has ignored but which we cannot overlook. The morphological classification of Spencer or his disciple Durkheim does not carry with it the infinite number

of derivative characteristics which distinguishes a true principle of division. The economic classifications, such as those of Hildebrand or Bucher, are not sufficient for the sociological purpose which we pursue. The analysis of the principal phases of the organisation of society by Morgan, Post or Köhler, are full of significance to the student of Politics, as showing the evolution of the forms of social control. But they all look to the stages of human progress rather than to special classes and particular types of culture and evolution. They all neglect the different types of society and culture which ethnographers like Brinton and Ratzel emphasise. Ratzel, for instance, shows that the influence of geographical surroundings predominates in the formation of distinct zones of civilisation. With Forbenius, it is the radiant action of a given centre which makes itself particularly felt, although, in this case, the influence of surroundings is not forgotten either. This classification is useful in so far as it can explain certain historic migrations of ideas and customs, but is useless for the cultural aim we set before ourselves. Not one plan of classification can serve the purpose. The intellectual, the economic or the genetic-ethnographical classifications must all be combined in a rational system. Societies and social evolution cannot be classified according to a single aspect. In sociology as in biology the ramification of a tree in divergent directions represents the scheme of classification which is most similar to the reality of evolution.[1] For political researches the classification of Morgan or Post will have to be supplemented by a study of group life and development in different races and regions hitherto scattered in ethnographic and historical studies. A systematic catalogue of peoples and of the character of their government and social constitution can only be prepared after long experience with classification. The treatment of the various types of democracy in the present monograph will help, it is hoped, towards working out the plan of such a catalogue. A preliminary analysis of different types of group organisation and social constitution, as attempted here, is essential

[1] Cf. Steinmetz: *Classification of Social Types.*

to a scheme of political classification. The future progress of Politics consists in its becoming classified, that is, in its becoming an actual detailed classification of all types of culture and their political phases. The treatment of the indigenous forms of polity of an Eastern country as representing a political type which is being obliterated or suppressed, as well as of the phases it is now undergoing, accordingly possesses a real scientific interest. Indeed, the conceptions on which this system of Politics is based—viz., that all sociological (including political) evolution, like biological evolution, is diversely ramifying or multilinear, and that the variety of political ideas and institutions evolved in different geographical and historical series shows, nevertheless, the unfolding of a universal plan or pattern—imply the necessity of our acquaintance with some of the important ethnic and political types and regions, as a preliminary to political morphology, without which Universal Politics cannot be formulated. A more extended application of genetic and comparative ethnological methods can alone lay the foundations of Universal Politics. The axioms and postulates which Politics has given us represent in great part but partial and intermediate generalisations, based as these are on the data furnished exclusively by the Græco-Romano-Teutonic consciousness, and its works and experiences. Cultural history has spun a variegated pattern of diverse threads; each thread is separately and yet synthetically woven into the delicate web by a particular ethnic and regional consciousness; it exhibits a particular hue, the loss and discontinuity of which would mar the unity and beauty of the parti-coloured garment, which covers the nakedness and brutishness of Humanity. Not until it can consider the variety of political types and institutions in diverse cultural regions can Politics claim to rise to a science and furnish universal principles; Universal Politics can rest only on a wider basis of historical and comparative Cultural Ethnology. The principles derivable from the study of the great political regions and types in the zones of cultural distribution should be collated and compared before we can understand the broad trend of

political evolution amidst divergent lines of ethnological and political development, and a multiform variety of ideas and structures in different political regions from which are deducible special political systems, theories and ideals. These latter are as essential in the scheme of world polity as an international league or federation or the politics of world administration.

Comparative Politics and Peace.—The necessity of finding some wider basis of Politics is felt more to-day than ever with our growing allegiance to the concept of the League of Nations. The intense nationalisation of the teaching of history and politics is responsible for many abuses and dangers: the study of Comparative Politics, thus understood in a broad sense, is a necessary first step to promoting a basis of international understanding and reconstruction, which will satisfy the apparently irreconcilable claims of humanity and the League as of separate races and nationalities. Universal Peace will be found to depend not merely on Universal History,[1] as Kant pointed out long ago, but also on Universal Politics.

Political Species and Varieties.—When such a comparative regional scheme is applied to the mass of political forms, many other species and other varieties will be found, the collation and comparison of which will be the subsequent task of Comparative and Regional Politics. It will thus appear (1) that there are groups of political societies which possess all the given characteristics of a species, (2) that the species almost always admit of varieties. Thus India and Further India, China and Korea, Persia and Arabia form different varieties of the same species which is easily distinguishable, as we have seen, from the Rome-descended Eur-American species. The difference in social and political tradition has brought about in the particular cases, however, sufficiently important secondary political differences. Another variety is due to the fact that a single country will often include very different sociological classes, such as India, the United States, Russia. Here the country will be a variety of the sort indicated by the predominant

[1] Cf. H. G. Wells: *Outline of History.*

type. In the case of India, for instance, we know how Negrito or Munda, Dravidian or Mongolian traditions have been moulded by the Aryan, who, as the artificer of the Hindu civilisation, has stamped his plan and pattern on the scheme of Indian social composition.

Types of States in Subjection.—Similarly types of subjected society may be distinguished. If the subjected society is equal in quality to the successful state, an attempt to compel it to conform more or less completely to the civilisation of the conqueror is met with resistance, though assimilation takes place at last. Examples are Poland, Alsace-Lorraine, Finland or the Dutch Republics of South Africa. If such a community is inferior in quality, yet such that it can be utilised in economic life, it survives because of its industrial value and may amalgamate, perhaps very slowly, with the conquering race.[1] If the subjected population is large and homogeneous, and possesses a civilisation of its own as well as economic and industrial value, there can be little or no assimilation of its customs to those of the ruling state, although the beneficial results of the mingling of civilisation become manifest. On the other hand, if such a community proves to be socially inferior and economically useless, its members slowly disappear, wasted by contact with a superior civilisation whose vices and diseases find ready lodgment in a population that has lost its self-respect and its reason for existence.[2] An example of the former is the British subjection of India; examples of the latter are Congo under the Belgians, and East Africa under the Germans. Still another variety arises where a political community, inferior in civilisation, is led up the path of progress by the guiding hand of the superior race, inspired by the high ideals of its disinterested mission. Examples of this are, in ancient history, the Indian colonies of Java, and Cambodia; and, in modern times, Porto Rico and the Philippines. A consequence of the prevalent theory of "the dominant races" is, however, that a powerful state as a rule subdues

[1] Dealey: *Development of the State*, pp. 76–78.
[2] Cf. also Brinton: *Races and Peoples*, pp. 293–299.

immature and weak peoples and states by open conquest or skilful diplomacy and exploits them, politically and economically. We shall presently see that antipathies of states or peoples, the spirit of conquest or of peaceful social intercourse of nations are all connected with the ethnogenic, and social evolution of peoples and the evolution of states. The all-pervading biological and social factors, which give rise to different types of polity, also produce different factors or ideas in politics or corporate life.

Conflict of Political Types and Regions.—No less significant are the phenomena of conflict of political types and regions[1] characteristic of political history in the tropics and the East, or those of political parasitism which has a marked effect on the social structure and constitution and a definite influence upon the whole life.

A striking disparity in culture-levels is as unfavourable to the development of a higher civilisation out of the union of meeting races as to a useful intermixture of stocks. The civilisation communicated to a less developed conquered people is artificial and secondary and incapable of independent development. On the other hand, the free interchange of ideas and free mixture of stocks between independent peoples at nearly the same stage of civilisation are conducive to the evolution of a higher phase of civilisation as well as to mental and physiological plasticity. An immature or less organised people dies by being overthrown or absorbed by conquest or extermination. No people, physically well situated, dies out. But such a people will die of poison instilled into it by civilised fraud and vice. Thus a vigorous but barbarous and less organised people will prematurely deteriorate or disappear. On the other hand, an old but less organised culture, with due resources and a conservative social system, will renovate itself by contact with a superior civilisation and surpass its old self. This is especially the case when a large population can be easily multiplied and maintained in the region without racial intermingling.[2] The phenomena of conflict of

[1] Keller: *Colonisation*, and Jenks: *Principles of Politics*, pp. 160–165.
[2] Cf. Hayes: *Political and Social History of Modern Europe*, chap. XXVII.

political regions are thus closely linked up with those of acclimatisation, especially of the influence of the tropics upon the white race, of amalgamation and the results of race mingling and of civilisation and its social and moral effects upon immature peoples.[1] Similar phenomena are those that arise in connection with the open door in the East and the shut door in the West, the prerogatives of white labour and capitalism in the tropical and semi-tropical regions, or the denial of elementary rights to yellow labour and capital in South and East Africa, the White Australia policy, the expropriation of lands of the natives in the interest of white emigrants and settlers, the employment of indentured or semi-indentured labour for the utilisation of natural resources, the use of barbaric force and civilised fraud for the " advancement " against their will of backward peoples, etc.

Colonising and Imperial Types.—Political varieties may also be distinguished according to whether the society under consideration has subjected another society of the same species or different class, or has colonies inhabited by another race and belonging to another sociological class; or, even, on the other hand, is subjected. Types of imperialism are distinguishable;[2] as the Roman and the British Empires possessing colonies in the warmer regions inhabited by immature races, or the Athenian Empire and Japan possessing colonies in the same region and inhabited by not dissimilar race. In each, however, the possession of colonies draws with it not only political and economic but also social consequences, which extend in all directions in order to justify a variety. Interest in colonial and imperialistic policies not only tends to check democratic development and reforms within the State, but also, by awakening jealousy and competition, leads to an organisation of capitalism and financialism on military lines.[3]

Colonial Types and Exploitation.—The colonies estab-

[1] Gettel: *Problems in Political Evolution*, pp. 376–77, and Spiller: *Inter-Racial Problems*, 1911 (P. S. King & Son).
[2] Coolidge: *The United States as a World Power*, pp. 61–63.
[3] Reinsch: *World Politics*, pp. 68–70.

lished by the Phœnician and Greek cities, or by the ancient Indian seaports, were sometimes trading posts, sometimes outlets for surplus population, or sometimes took the form of cities which often maintained a loose political connection with their home states, but more frequently became independent political units. Very different in character were the Roman colonies, which were military posts in an alien soil.[1] The recent policy of colonial exploitation is an inheritance of the Mercantile System, which represented the aggressive nationalism of the states and peoples of Europe, and which was the cause of so many commercial and colonial wars between Spain and England, between England and Holland, between England and France, or between England and America; neither the doctrine of *laissez-faire*, of the physiocrats in France, nor the free trade movement in England could overcome the effects of old politico-economic thinking, whereby colonial ambitions are stimulated unduly, and the economic and political competition of nations is a constant menace to world-peace, lowering the social code of nations in their treatment of the backward regions of the earth.[2]

Transitional Forms.—Transitional state forms and varieties are noticeable especially in these days of extensive international intercourse, and the domination or peaceful penetration of the superior Eur-American nations, which tends to produce a barren uniformity of type and pattern. The uniformity of type that results from a forced process of imposition and substitution is something very different, however, from the trend or broad movement of world history.

Trend of Political Evolution.—Guarding against the twin errors of forcing special traits into a supposed general course of evolution or of overstating the value of certain parts of the evidence, we shall find that, though there are different types of political structure and arrangement based on the social instincts and environmental conditions of particular zones or regions of population, a universal

[1] Cf. Morris: *The History of Colonisation*, Vol. I.
[2] Cf. Wolff: *Empire and Commerce in Africa*.

trend for political evolution can, however, be sketched. But the dogma of the essential unity of humankind led our scientific ancestors in a wrong direction. The secret of the evolutionary method is to ascertain the diversity of types, to regard every type alike as an adaptation to the milieu. Comparative Politics will discover the genetic conditions and causes of each political type as well as the genetic affinities whereby they may pass into one another in adaptation to changed conditions. Comparative Politics will collate and compare the divergent types, and arrange them in a way that will exhibit their affinities and interactions so that we may appreciate the broad trend of political evolution. The classification of political types will thus lead up to a political morphology regarding them as living organisms adapted to different environments, mature or immature specimens, accelerated or retarded growths, each with infinite potentialities of development in its own line under favourable circumstances. The process of world history will be checked and delayed if this unfolding of each social or political type is impeded or arrested.

Political Evolution from Within.—Finally, Comparative Politics will consider political evolution from the point of view of the inner impulse that creates or expresses itself in specific political types as well as the ends and values that are realised through the various types and levels of historic culture.

Sociology and Politics should be the sciences not merely of norms and categories, but also and ultimately of life-values and ideals, and this with reference to the trend and broad movement of world history, as well as to regional needs or needs of adaptation to particular geographical and historic environments: experimental construction and regionalism are accordingly developed side by side in the sociology and politics of values.

We thus come back to the concept of Functional Politics, which we may define to be a study of political structures in the light of the inner impulse, ethnic or communal, that gives birth to them and of the ends and values which they

satisfy. The general conditions that are calculated to determine the course of cultural political history are, as we have seen, the factors relating to anthropo-geography, social psychology and Cultural Anthropology. Functional Politics is thus a study of concrete political organisms as they live, develop and act; it does not view political or governmental systems from the merely morphological point of view—not as a mere juxtaposition of anatomical specimens for purposes of comparison after the method of Herbert Spencer, throwing little light upon the vital processes. It discovers the determining motives of political life and its changes, and interprets these by reference to the universal laws of cultural evolution. It also, therefore, is an aid to political experiments, the nature and purposes of which are as varied as are their cultural regions.

CHAPTER VII.

EVOLUTION OF POLITICAL TYPES.

Political Evolution Illustrated.—Historical politics ought to begin with a study of *types* of political evolution, and in tracing its earlier stages work upon the materials collected by ethnological inquiries in different parts of the world. The variations arising from geographical conditions, such as political consolidation in the large plains, or lack of central unity or political dismemberment in arid deserts or mountain steppes, or, again, differences in political organisation due to economic conditions, such as represented by a hunting, a pastoral, an agricultural or an industrial community, must be taken into consideration in giving an account of the broad trend in political development. If we attempt to tabulate the typical constructions of political life, we get somewhat like the following:—(1) origins in totemistic rules and regulations; (2) tribal government; (3) the village commune and the free city where the bonds are no longer the ties of blood, real or fictitious, but a new common principle, the communal possession of land; (4) Medieval State in different aspects, as Feudal and Theocratic State; (5) Individualistic State and class government; (6) Communalistic State and functional government. In the East, as well as in the medieval period in Western Europe, the city takes its origin in a combination of the village community with the myriad guilds, brotherhoods and associations, which were constituted outside local bodies. The feudal polity based on the economy of the manor developed out of ceaseless migration and conflict of tribes and peoples—Celtic, Germanic, Slav, and Scandinavian—in Western Europe.

The absolute monarchy in Western Europe was an overgrown Feudal State. It was gradually superseded by the constitutional monarchy and the democracy. The sovereignty of the people was secured with difficulty and at times not without bloody revolutions. In China, the paternal family grew up and became the type and symbol of the political constitution. Unlike the Feudal State, in which the government was a military institution, the Paternal State in China was built on the basis of peace and security of the autonomous village communes, cities and brotherhoods. The soldier had an inferior social status both in China and India, and an elaborate code of duties was evolved to limit the authority of the monarch, on the one hand, and to guarantee security and liberty for the family, the clan, the guilds and associations, on the other. The ruler, though clothed with divine right, was subservient to the code of righteousness which the class of intellectuals interpreted and applied both in China and India. This was in a large measure true also of Japan, where the Crown is the very essence of a once Theocratic State, and where the effort to reduce the institution to an ornamental crowning piece of an edifice is repugnant to the national sentiment. On the other hand, the age-long traditions of the feudal system in which the family and quasi-family ties permeate and form the essence of every social organisation, and moreover with such moral and religious tenets as lay undue stress on duties of fraternal aid and mutual succour, have developed Japan unconsciously into a vast village community and given a specific character to the monarchy as well as to the system of local government, which resembles only superficially the nature of the medieval Western manor.[1] Throughout the East, the Theocratic system of Brahmanism, of Islam, of the Talmud and the Oligarchic system of the Chinese intellectuals, started from mankind and embraced within their folds multifarious customaries, evolving an order of communalistic justice in which the diverse and even antagonistic elements met in concord and in compromise. In Western Europe, the jurisdiction between the

[1] Okuma: *Fifty Years of New Japan*, p. 128.

feudal law and canon law remained sharply divided, though there were, of course, certain fields like family, corporation or contract, in which the two influences mingled together. The decay of the medieval city in Western Europe or of the village commune in India has been due to similar causes. In medieval Europe, the burghers had special privileges and strangers and new-comers were held in subjection. In the Indian village community, the new-comers often became a privileged class and the original inhabitants of the soil were reduced to a class or caste of *servi*. The city burghers in the West became traders, they neglected the soil and developed into a close oligarchy. In India, the rigid differentiation of caste created an aristocracy in the community and there ultimately grew up a disparity between its social benefits and social awards. In the West, the strong central political organisation developed out of the collapse of feudalism and nourished itself by obstructing all local initiative and crushing all local liberties and privileges. In the East, similar conditions led to a widespread disintegration and gave an opportunity for conquest from without. We shall presently see, however, that the reaction against the stress and strife of individualism and class rule, and the return to communalism which seeks to construct society upon a non-State basis, have been characteristic of recent political forms, though the political ideals and methods are so strikingly different and to a great extent antagonistic.

Growth of Societies in the Aggregative Stage.—Turning now in detail to the universal trend or broad world movement in political life and evolution, we find the composite social structures appearing in the following order in political evolution: family groups and possibly local exogamous groups by fission and aggregation; clans, metronymic or patronymic, totemistic or endogamous or both; sometimes phratries, classes, etc.; tribes, based on agnatic or female relationship, or cemented by common good and ill, or common vendetta, or common land and water, or participation in the communal land, or adoption into the village community or township as strangers or as

servi; confederacies of tribes or peoples. There may be many clans or gentes in a tribe, and two or more clans or gentes may constitute an intervening unit which we call the phratry. As Powell observes, the phratries are often organised by mythologic regions; and this method of regimentation finds expression in the structure of the council chamber, in the plaza and in the plan of the village. Here, in the phratry, we have the beginning of district regimentation, which ultimately prevails in civilisation.[1]

All this is composite aggregation of like units by duplication or repetition of parts. In structure as in function, a people is a big tribe, a tribe is a big phratry or clan, a clan is a big family group, a family group is a big family. Special functions are relegated severally to the hierarchy of bodies constituted, *i.e.*, certain offices are performed by the clan, others by the tribe, and still others by the confederacy. The chief of the confederacy is usually the chief of one of the tribes, and the chief of the tribe is usually an elderman in one of the clans. There are clan councils, tribal councils and confederate councils, chief councillors and eldermen (Powell). The plan of government in the tribal stage, as Morgan observes, deals with individuals through their relations to the gens or *gotra* or clan. Here the units are not sufficiently differentiated; the whole is not sufficiently coherent. The superior aggregate cannot control the ultimate units, excepting through semi-independent intervening media. The jurisdiction is particulate. Status is all in all, and individuation is only rudimentary. The individual was completely identified with and merged in the family, the clan or the tribe; to the latter belonged all rights and privileges and responsibility. The modes of activity of individuals did not differ from the modes of social activity (Köhler). The social acts of the individual, as Post remarks, are all determined by the assumptions in which his society is based—postulates, social categories, embodied in custom or law. These traditions are quasi-

[1] Cf. Köhler: *The Great Steps in Man's Development*, also *The Philosophy of Law*; and Giddings: *Principles of Sociology*, pp. 320–323.

instinctive and constitute the essential moments of ethnic entity or cultural Race.[1]

Further Evolution of Societies by Internal Differentiation.—The second stage evolves a complex and coherent structure, by redistributing the elements of the previous composite formations. Later races, when they were able through sufficient acquisition of culture and natural wealth to emancipate the individual from the family and the tribe, did not give up the idea of the collective soul, of the unity of tribe and race, which accompanied them in their life wanderings, consolidated them and increased their power of resistance. Differentiation of the individual and central coherence go together. In other words, while the individual begins to be differentiated from the family and the clan, the Nation, by its central organ the State, deals with the individual directly, by gradually usurping and annulling all intermediary jurisdictions. We have already seen how in the monistic state type this usurpation of all intermediary jurisdictions has been the essential and universal earmark. In a pluralistic polity, family-groups within clans, and clans within tribes, duplicating structure and function may still endure as in the case of China. The uniformity of the family-clan-tribe-people stage has been broken up in the recent case of Japan.

But the general trend of ethnogenic evolution everywhere has been that the individual units and lower aggregates are more and more differentiated by division of labour and specialisation of interests. Hence arise those remarkable social groups which from guilds become castes and from castes privileged classes in a race. Within the limits of these social groups, however, privileges and local liberties develop. Freedom of labour among the working class with recompense for labour is one of the most important achievements of modern civilisation. The chief sphere of development is that of the crafts, trades, and professions. Occupational castes, guilds, classes, corporations gradually take the place of the older ethnic groups. Among many

[1] Vinogradoff: *Historical Jurisprudence*; Jenks: *History of Politics*, chap. I.

races the guild has amalgamated with the family, members of a clan and their descendants following the same profession. The guild is an offensive and defensive alliance, with its code of law, and definite rules for the overcoming of obstacles. There are varieties of guilds with varieties of functions, economic, social, religious, which have all contributed towards the protection of the individual from competition and exploitation. Formerly criminal responsibility was collective; the family or the clan or the guild was held responsible for the actions of all its individual members except those who were renounced and made outcast. Such methods of collective surety still exist among many exceedingly developed peoples; though the system also permits some responsibility to rest upon the individual. Personal law based on kinship gives place more and more to territorial law based on allegiance. The coherence thus becomes more effective, more direct. Whether the government is vested in one or many, society in the West has evolved by creating an absolute central authority and a supreme magistracy as embodying the central, ratifying will of the community.[1]

Village Communities, East and West.—In the East the course of development was different. Initial differences in village formation and settlement, in folk-moots and village communities, went along with differences of race and region. Among the Germanic stocks in the West, as among the Slavs in Russia or among the Indians and the Chinese in the East, we find in the beginning agricultural allotments in which each group received as much land in the tribal territory as was deemed sufficient for the competent subsistence of its families. The remaining land was retained by those who did not settle down to agriculture, to the exclusion in whole or in part of those who did so settle. The distinction between the Teutonic village and the *mark* finds its counterpart in many a village formation in the course of the world's economic evolution from nomadic and pastoral life to settled agriculture. But while in the East the

[1] Seal: *Meaning of Race, Tribe, and Nation*, which has largely been drawn upon for many of the generalisations in this chapter.

village communities and the guilds, the local bodies and councils had an independent growth by fission and aggregation and ultimately developed particulate jurisdictions, the State, supervening at a much later stage in the evolution of various intermediary groups, and in consequence respecting fully the various functional and local codes and ethnic customaries, the Teutonic communalism still argued primitive communal origins, would often return to inchoate conditions of tribal life and organisation and fell an easy victim to the forces of conquest and consolidation. In the West the fall of the village community was due in medieval history to commendation or surrender to a lord to secure protection or relief from public burdens, the introduction of the Roman theory of property, and surrender to the Church as well as to the grants of a jurisdiction which ultimately turned itself into landlordship. In Northern and Central Russia, Siberia and China, India and Japan, the communal independence and the compact village developed along with a form of joint tenure, based originally upon the ties of kin and modified in course of time, with the advent of new settlers, by the territorial element of neighbourship. In China and India, as well as Russia, this condition of ownership formed the material basis of the system of taxation, with its joint and several liability of the taxpayers, while, as population increased, the community always asserted the right which has always resided in it and restricted individual rights in land.

Characteristics of the Eastern Polity.—But, while in Russia the customaries were tinged by the primitive communism of a dominant nomadic element and spirit in the population, in China and India they were the outcome of a balance of individual and communal interests among people of settled agricultural habits. In the same way the Sino-Indian polity, so far as it is possible to generalise in respect of regional zones of this character, is characterised by a balanced synthesis of three distinct and co-existent elements: the State, not an absolutist central structure with an all-pervasive authority, but compatible with local government and functional administration which flourish

independently of it; the individual who is subservient to a self-subsistent "morality" which rules the counsels of men; and diverse social groups and intermediate bodies, *e.g.*, village communities and guilds, in political life with their own codes and customaries, arising out of the voluntary social functioning of the groups, which are prior to and independent of the State in the process of ethnogenic evolution.

Evolution of the Indian State.—Beginning with the clan and the tribal system, based on the equality of all freemen who were not as yet tied to a fixed territory, but, like the Vedic clans or even the Kurus and the Panchalas of the Epic period, spread out in migrations, we find village settlements and associations developing side by side on the basis of occupation of the same territory or community of occupation or profession. Tribal monarchies ultimately gave place to hereditary monarchies, but the autocracy of the monarch was kept in check by the powerful princely and warrior class, and the codes and customaries of the various occupational guilds and associations and the village communities: over them all was the code of *Dharma* formulated by the Brahman legists and interpreted according to changes in time and ideal by the *Rishi*, the king's spiritual preceptor. The occupational and functional guilds, clans, village communities and families exercised a quasi-independent jurisdiction, which the king's decisions could not override. And, though the king was hedged with divinity and endowed with great authority as the guardian of the *varna-asrama-dharma*, Indian monarchy was not in any way a personal autocracy. The Indian king had no power of direct legislation; he could issue administrative decrees only, and these must be in consonance with the *Dharma*, which sets the end and limits to the king's power and function. There was, again, the king's council to advise or admonish the king in case the king's decrees were in conflict with the socio-religious, juridic and customary law. Thus the social and religious liberties of the Commons were assured, and the code of *Dharma* was above the king not as an abstract theory but as a living reality, determining the

norms and categories of Indian politics and administration; for, in India, the *Dharma* comprehended every phase of life, attached a sanction to all, and political life was not excluded. The king's right of taxation was limited, not merely by the rights of the various industrial and functional bodies, but also, in land revenue and other important sources, to a fixed percentage as a maximum; any violation of this principle was a sufficient cause for non-co-operation, revolt, and deposition of the king by the council or the public assembly. Local bodies and assemblies had rights of taxation with a view to meet the costs of the police, the arbitration of disputes, the public works, etc. Families, clans, tribes, and village communities were often formed into republican states which evolved a strong and settled organisation—no less significant than the organisation of the Empire. In their early period, they presented a sturdy opposition to Alexander the Great in the Panjab and won his admiration. They survived the centralisation of the ambitious Magadhan monarchy and continued till the early centuries of the Christian era, thus having a longer history of vigorous freedom than the short-lived Greek city states or the Roman republic.[1] In the communalistic body-politic the cells are the families, guilds, village communities, etc., and we shall understand nothing of the nature of the socio-political system and its working unless we note their vitality and abiding hold.

Western Centralised *v.* Eastern Communalistic State.—The realisation of right had been from the first a social function; but its enforcement was incumbent on the unit groups of individuals (families, clans, tribes, village communities or guilds bound together by friendship). The acquisition by the State of supreme and unlimited power and jurisdiction over society and its economic social and cultural interests has been a gradual but inevitable development in the West; and this apotheosis of the State has given a wrong trend to civilisation.[2] In China and India, the rules

[1] Cf. Ghosh's articles in the *Arya*, and Sarkar's "Democratic and Republican Institutions in Ancient India" in the *American Political Science Review*; and Ghoshal: *Hindu Political Theories*.

[2] Cf. Kropotkin: *Mutual Aid*; and Oppenheimer: *The State*.

of conduct evolved by the unit groups of individuals still constitute the communal code, while the rules of morality form a second code, set above the communal law and embodying a larger aggregate of duties. The two together embrace the whole field of life; and much that falls to State or government in the West to further public welfare by means of the creation and administration of law is left to myriad local groups and assemblies in the communalistic polity. Unregulated individualism and absolute State authority go together. The over-emphasis of private rights in Roman jurisprudence has encouraged social malformations and excrescences. The excessive authority of a mechanical-exploitative State has been balanced by an unethical doctrine of natural rights of individuals, which, on the one hand, led to a criticism of positive justice, followed by improvements, and, on the other, often "destroyed, revolutionary wise, fruitful germs of development, permitting artificial, unseasonable and immature formations and malformations to take their place." Among many a socialised ethnic stock in the East organised on a basis of peace, the notion of ideal duty guaranteed the harmony of individual and group action by evolving ethical principles of co-operative social functioning; the cherished traditions of voluntary social co-operation checked the acerbities of individualism on the one hand, and the encroachments of the State on the other, leaving no room for the unattached individual or the social rebel.

Development of the Modern State.—In the West systems of police already played a great part in the Middle Ages among governmental institutions, especially in the smaller states. Subsequently the idea was developed that not only protection through the punishment of crime, but also superintendence and promotion of the public weal should be administered by law; and thus the all-embracing and all-pervasive modern State developed. In the communalistic polity of China and India, police, education, sanitation, public works, poor relief, are undertaken by diverse local bodies, village communities, guilds, and associations. The conception of duty, the essential feature of

communalistic justice, has evolved from the double action of life and custom. Communalistic justice not only interdicts practices inimical to society and makes punishable offences against civilisation, but also ensures that civilising institutions of all sorts are taken under control by the various intermediate bodies and associations, which develop an active, responsible sociality. It regulates the rights and duties of individuals to the group, and of groups to one another; it binds society by sanctions which are derived from the accumulated race traditions idealised as a system of social values.

In the intermediate feudal stage, the State deals with the individual through his overlord or corporation, but a true national government has only risen in the West on the ruins of the feudal system, by creating an absolute power. Constitutions and constitutionalism are a later growth, effected through the differentiation and separation of the legislative, executive, and judicial functions of the sovereign authority (Seal). These arise when the modern State develops with its policy of national welfare, and necessitates a sharper distinction to be drawn between justice and the various actions of an administration.[1]

From Kinship to Kingship.—The territory of the State gradually expands. The close association of the small local group, and, at a higher stage, of the firmly-knit clan within the somewhat larger but looser unity of the tribe, is bound together by ties of kinship. There are deeper reasons also for the smallness of primitive states. Among most "natural" races the family and the society form unions so large, so frequently coinciding, so exclusive, that little remains to spare for the State. The rapid break-up of empires is counterbalanced by the sturdy tribal life. When the empires fall to pieces, new ones form themselves from the old tribes. The family of blood relatives in their common barrack or village (still to be seen among the Munda races in India) represents at the same time a political unit, which can, from time to time, enter into combination with others of the kind, to which

[1] Bluntschli: *Theory of the State*, Book IV.

perhaps it is bound by more distant relationship. But it is quite content to remain by itself so long as no external power operates to shake its narrow contentment (Ratzel). This external power becomes manifest in the course of migrations and conquests. Gradually strange tribes settle in the same district, are conquered, tolerated, and even absorbed in the social community. The principle of citizenship, based on occupation of the same territory, gradually supplants the principle of kinship; the village community and the city guilds develop, but still there is a good deal of inter-crossing of the two principles of social union. The strangers and the original inhabitants, plebeians and patricians, the conquerors and the conquered, the Aryans and the Dravidians are united together into one aggregate in the principle of subordination, which is not confined to the relation of governing and governed, but runs through the whole economic and social life. By the side of the slave-holding democracy of Athens, and the close democracies of Thebes and Sparta, we may have a feudal hierarchy of lord and vassal, when landed interests are exploited; or a hierarchy of castes or privileged classes, when equal social opportunities are withheld. The existence of theocratic codes, servile classes, ethnic disabilities, privileged classes, co-ordinate jurisdictions (ecclesiastical, municipal, feudal) retards the free and normal development of a National Race, and these ethnic survivals disappear in adult nationality. But the authoritarian order has its chief types in a society governed by a chieftain, as well as in a monarchy; even here there is a popular assembly or consultative body; either an unorganised meeting of individuals or an organised convention of estates founded on class right.[1] In spite of individual tyranny there is a vein of democracy running through all the political institutions of the natural races. The family stock has of course a leader, usually the eldest; but, apart from warfare, his power is almost nil, and to over-estimate it is one of the most frequent sources of political mistakes by white men (Ratzel). The chief's nearest relatives in point of

[1] Hobhouse: *Social Evolution and Political Theory.*

fact do not stand far enough below him to be mingled indiscriminately in the mass of the population over which he rules. Nor could it well be otherwise in a society which was built up upon the gens, kindred in blood, communistic under the system of mother-right. The democratic assemblies of the headmen in council among the Munda-Dravidians of India and the democratic procedure of the caste-*panchayats* among the Hinduised or semi-Hinduised aboriginals have their origins in the fact that despotism stands in opposition to the tribal or patriarchal or matriarchal origin from which these have sprung. The power of the sovereign is strengthened by alliance with the priesthood and recourse to magic arts, by monopoly of trade, or by the inexorable strong arm which protects the tribe from alien hordes and leads it to wander with favourable fortune over large tracts. The power of the sovereign strengthens the feeling of union and political allegiance, geographical conditions also acting as a cementing force. The consciousness of nationalism was earliest developed in Greece in the small isolated city states, always threatened with encroachments from outside. Again, there is a deep meaning in the myths which intimately connect the fight against these forces of nature, these hundred-headed hydras, or sea-monsters crawling on the land, with the extortion of the highest benefits for races in the foundation of states and the acquisition of culture. No race shows this more than the Chinese, whose land, abounding in streams and marshes, was able to offer more than sufficient work to its embanking and draining heroes—Schem, Schun, Jao, and their like. In Egypt (and in India) a similar effect of the anxiety for the yearly watering and marking-out of the land is obvious from history (Ratzel). Both India and China early achieved a high degree of social solidarity. Generous territories bred a wide outlook of life, a continental element in the national mind ; they explain the lack of narrow patriotism, of that clearness and definition in the matter of political allegiance which characterise the relatively smaller, disjointed European states and cultures.

Forms of Government.—The authority of the superior

is not the only method of organising a large and expanding territory of the State, though this is true of vast sections of the human race.[1] The expansion of democratic Athens was accompanied by her reckless despotism, which ultimately caused her downfall. Rome as she expanded admitted strangers and foreigners to civic rights, but gave up her constitutionalism. The medieval city states did not expand. The Teutonic nations, by devising the plan of delegation-cum-representation, have reconciled the interests of order in a large territory with those of an active, responsible citizenship. Even in the case of Britain, the mother of Parliaments, the principle of free citizenship is crossed in her Empire State with that of the authoritative government of dependencies.[2] Among some peoples in the East the problem of uniting large areas and great populations on the basis of common citizenship has been solved not by the principle of representation but by the principle of communalism. In the West the principle of representation often has been aided by the consolidation previously effected by an absolute monarchy; in China and India the communal-federal principle has been supported by a catholic and synthetic policy of assimilation and absorption of different stocks and nationalities which have kept alive communal life and local creativeness. The principle of federalism may solve the problem of dealing with a minority group and a minority nation; wedded to the principle of citizenship arising from an aggregate of individuals occupying the same territory it may render possible a form of union as vital, as organic, as the clan, and as wide as the empire, while it adds a measure of freedom to the constituent parts, and an elasticity to the whole which are peculiarly its own.

Stage of Political Unification, Western and Eastern.— The third stage in political as in all other forms of social evolution is characterised by a synthesis or redintegration of the elements and factors which have received undue emphasis in the way of differentiation in the second stage.

[1] *Ibid.*; and Murphy: *The Basis of Ascendency.*
[2] Lucas: *Greater Rome and Greater Britain*, chap. VII.

Accordingly the third stage agrees with the first in the stress which is laid on the need for unity and unification. In the transition from the second to the third stage it is very often seen that some homogeneous forms and structures of the primitive type tend to be revived or restored, being a form of social atavism, and in this connection these often appear to be phenomena of degenerative simplification. It thus involves a return to more primitive and homogeneous forms and conditions of the first stage, when the evils of differentiation become manifest. Such evils are to-day rife in the West in the absolute authority of the non-moral State and destruction of local life and creativeness, the rule of the majority, class tyranny and class legislation, or the alliance of Imperialism with the forces of economic aggression and exploitation, followed by the nemesis of individual separatism and social revolt. It has become apparent that the increase of the territory of the State has been accompanied by a loss of vital force and compactness, of freedom and creativeness of the constituent parts and by an added rigidity to the whole. Exploited proletariat, impeded local liberties, and unreconciled nationalities are a standing danger to the civic principle.[1] The third stage induces the formation of groups and unions on a free voluntary basis, and provides for their co-ordination in the totality of life interests; it reconciles State control and individual autonomy, not by annulling one by the other, as in State-socialism, State-collectivism or unregulated individualism, but by transforming the central monism of the existing order into a composite pluralism which realises social harmony in a much greater measure than is now deemed possible. The cry has gone in the West to-day for devolution and federalism all along the line, for the formation and co-ordination of a medley of groups and unions in every functional activity, political, economic, social. The West, indeed, has developed a favourable field for varied experiments with local or functional groups on a free voluntary basis, which will give shape to incipient

[1] Seal: *Meaning of Race, Tribe and Nation.* Cf. Abraham Lincoln's dictum that no nation can permanently exist half-slave and half-free.

tendencies, and make a particular Western species of communalism possible in the future both as a political stage and as a new political order, distinguished by a new morphological type. Even in the field of jurisprudence, a tendency has been developed towards group rights and group enforcement of justice. In the East communalism has had another history. Here it is an ancient institution, and the changes it is passing through at the present day in China or India have received our close attention. Suffice it to point out here that the type of Eastern communalism with all its emphasis on pluralism has constituted a great advance from particulate structures (of the first stage) and a significant experiment towards complex co-ordination. In structure as in function duplication or repetition has been replaced by differentiation and individual emancipation from the family and the clan. Accordingly it would be an anachronism and a biological blunder to confound communalism and its groups and group-co-ordinations with rudimentary or undeveloped structures, or to regard them as interesting specimens in a museum of social archæology. But with the coming advance in the group-polity and with the pluralistic State, syndicalist, and soviet experiments in the West, Western observers will soon have an opportunity of studying living specimens in the fields and marts of Europe. In the stage of differentiation, in the case of the pluralistic polity, we find a multiplicity of communal values and communal institutions, and these are sought to be unified in the third or succeeding synthetic stage. This is the stage of the formation of federative unions or confederations of local and functional groups. Such federal bodies in effect reproduce certain features of the primary assemblies, which formed the origins of the pluralistic State, and which show the rudiments of integration of the individual in the community and community in the individual. In the pluralistic polity, it is the myriad intermediate bodies which by co-ordination lead up to the confederate body-politic. In the monistic polity, the attempts of the syndicalist and the soviet organisation to reach a type of federalism differ from the former by their

appeal to the methods of State-centralisation or State-absolutism, the State here breaking itself into the confederate bodies. Each line of evolution thus manifests the operation of the law of correspondence in the evolution of the three stages according to divergent norms and categories, though here it is to be noticed that these separate trends seem to converge to a common goal. In all this we find the operation of the universal law of biological and sociological (including the political) evolution that a third stage, while it uses up all the gains of differentiation and specialisation of the second stage, shows an essential community with the first inasmuch as redintegration or synthesis, under which we may conceive the form and function of the third stage, is in one sense an extension and unfolding of that original unity and homogeneous simplicity, which are the marks of the first stage. Communalism as a world-wide movement towards a new political order or configuration, in which the individual and the State will be linked up in the original and primary bodies or intermediate groups, furnishes a grand instance in political evolution of the universal law which formulates the assimilation of a third stage to the first in ascending grades of synthesis and progress.

Biological Parallelism with Social Evolution.—This universal law in sociological evolution follows indeed as a matter of course from the fundamental notion of the predominancy of law and order in the formation of systems in the physical as well as in the moral world. In the biological domain continuity produces different types and families, mutation being governed by the law of survivalism. In survival, whether biological or sociological, we find the genetic factors that tend towards the preservation of the form retained and modified with fresh adaptations as occasions arise. Hence we observe a parallelism between the biological evolution and sociological development with regard to functional activity, not merely in the multiplicity of types and families in adaptation to the environment, but also in the multilinear development of biological or sociological types culminating in functional

unity and simplicity. As the object of modern biology is to study functional homogeneity in diverse types, so Functional Politics must study the march of political ideas and institutions through diverse ramifications towards functional simplicity. This may also point towards the political purpose or ideal. The object of political organisation is to achieve functional unity and simplicity through the dissemination of State activity in the diverse intermediate bodies, and establishment of a simpler electoral process and procedure. In the greater co-ordination between the functional groups and the State, and in a more intensified life of the local and communal groups, we shall find a counterpart of functional co-ordination of the highest biological type in man.

Work of Comparative Politics.—Thus Comparative Politics will not only furnish many a universal law such as this, but also subsidiary and intermediate generalisations derivable from and applicable to special political types and regions. Comparative Politics will map human history, its institutions, and its habitat into diverse regions and zones, characterised by distinctive types and families, and compare and collate them, rising to universal principles of political evolution, and sketching the broken march of Universal Humanity through the concourse and conflict of historic cultures and the chequered history of the realisation by each of its ideal ends and values. Comparative Politics will furnish the groundwork for varied political experimentation adapted to particular cultural regions, and will point the way not merely to a solution of many an administrative problem in the heterogeneous British Empire, but also to a settlement of the claim and conflicts of different races and political types in the East with which is closely bound up the future peace of the world. A genetic and comparative study of political types and regions, as developing entities, of the growth and transmutation of racial types into ethnic cultural units (clans, tribes, peoples), and their evolution into historic nationalities, of the regional, psychological, and sociological forces at work in the rise and growth of political organisms, alone can enable us to

guide and control future political evolution and experimentation by conscious selection in intelligent adaptation to the system and procedure of Nature. In the case of backward regions and less organised or immature peoples, threatened with extinction in the world-process of political competition and exploitation, both science and humanity will urge the need of protective administration and legislation, under international control, based on what may be called the Eugenics of Nationality. Colour prejudice, national chauvinism, and national aggressiveness have to be overcome. Thus, Comparative Politics, in its application to the problems of present-day legislation and administration, will give birth to International Jurisprudence and International Eugenics, which will weed out the anti-social and anti-humanitarian tendencies of the modern political situation, and initiate an organised effort to guide and control the peaceful evolution of Humanity by conscious selection, on the basis of individualistic justice and co-partnership of the nations.[1]

[1] Marvin: *Western Races and the World.*

CHAPTER VIII.

COMMUNALISM AS A POLITICAL TYPE AND A POLITICAL STAGE.

Democratic Types Distinguished.—The broad survey of political evolution has shown the rise of different types of democracy out of different materials of social history and organisation. In one type, which we have called monistic, the authority of the sovereign organises large areas and populations on the basis of citizenship, and the principle of representation and responsibility develops to check and balance the unlimited authority of the sovereign. In the other type, which we have called pluralistic, the interests of order are compatible with a large autonomy enjoyed by local and functional groups, and with lack of precision in the matter of political allegiance, and there early appears the principle of federalism and co-ordination to realise the larger needs of social and communal life on the basis of sociality rather than that of political citizenship. We have seen also that the movement towards political decentralisation and direct government is a characteristic tendency in modern democratic evolution in the West, which thus shows communalism as the next political stage or new political order.

Features of Eastern Communalism.—The types of democracy in Eastern communalism have not developed the principle of delegation and responsibility which is inseparable from the working of Western representative democracies, but they have preserved certain features which political theorists ought not to disregard. In the East there has been a differentiation of social and economic functions and interests and their corresponding organs, the occupational

or professional guilds, unions, and brotherhoods. But at the same time there has been an interweaving of divergent interests in the local assemblies and unions which are peacefully oriented at the bottom of the social structure, thus preventing the rise and development of organised political classes, identifying themselves with particular and exclusive economic interests. Neither the evils of party system nor of class rule would be natural in a system which has sought to harmonise conflicting interests and functions in a long unending chain of free local and functional bodies; while the all-pervasive authority of the modern State is distributed here among a number of more or less independent intermediary jurisdictions. These have expanded into larger unions and federations, and, indeed, it is in this direction that the future of the communal democracies of the East lies.

Development of the Communalistic State.—In the East, the intermediate groups and voluntary associations, such as the family and the clan, the artisans', the traders', and the merchants' guild, or, again, the professional brotherhood or the non-local society, are at first self-governing and self-sufficient. In the absence of disintegrating forces which lead to rigidity and crystallisation, they are gradually organised within the life of the community as a whole by functional differentiation as well as integration. In the same way the village community, a body first of homogeneous and then often of heterogenous composition, at first segregated, gradually finds a place in a union or federation of villages. For the purposes of administration the villages may be broken up into main and minor subdivisions. Each of these subdivisions often represents a distinctive clan or caste, craft or occupation, which is self-governed. In the assembly of the village as a whole each of the diverse functional interests would be represented, and the association thus no longer remains on the tribal basis of kinship, clan, and adoption, but is lifted to the plane of a distinctive polity on a community of social and economic interests with differentiation of structure as well as of function. In the socio-political history of the East, the tribal councils

and village assemblies, the guilds and corporations have in their primal stage an independent origin and growth out of fluid and inchoate conditions of tribal life and organisation. The State comes to supervene or be superimposed upon them at a later stage. It has then to treat them more or less on terms of equality, and recognise their pre-existing rights by conventions and agreements which operate as charters regulating their mutual relations. Thus the varied interests of the communal life, such as administrative, judicial, civil, commercial, and industrial, are assured by the voluntary and self-managed co-operation of a large number of semi-independent assemblies and unions. The formation of unions and federations is a sign and expression of coherence of the nation. The impulse proceeds entirely or mainly from below; it seems to be a comprehensive and impressive result of a spontaneous movement of voluntary association of functional groups with which the East abounds.

Chinese Village Community.—Nothing is more characteristic of Chinese political life than the significant part played by the village community in the administration of the Empire.[1] More than eighty per cent. of the Chinese population are governed by the common law of the land, interpreted and executed by themselves in the village communities. Every Chinese village is a little principality by itself, though it is not uncommon for two or more, which are contiguous and perhaps otherwise linked together, to manage their affairs in unison, and perhaps by the same set of persons. As in India, large villages are divided into several wards, each with its own headman. The headmen are sometimes styled village elders and sometimes they are termed merely managers. The salary of this headman in the village of Whampoa (7,000 inhabitants) is 300 dollars per annum; and he has under him fourteen policemen. The district magistrate with the *hsun-chien* and their deputies over the hundred are the officers to whom appeals are carried from the headmen. Among affairs which relate to a village as such are to be named the construction and repair of the

[1] Werner: *Chinese Sociology*; and Kung and Koh: *Village and Town Life in China*, both of which have been freely used.

wall (if it has one), and the care of the gates (if they are closed at night), the establishment and supervision of fairs and markets, the engagement of theatrical companies, the organised watching of the crops, together with the punishment of persons detected in violating the rules which have been agreed upon, the building and repair of temples, the sinking of wells for the use of the village or the clearing of those which are already in use, and a great variety of other similar duties depending upon the situation of the village and its traditions and circumstances. Local customs in civil matters, land and water rights, *corvées*, temple privileges or rights in crops thus come to differ from district to district. There are fines imposed for the violation of village laws or agreements, and especially for theft of crops. Such fines collected from offenders are often spent, as in India, for the purpose of hiring a theatrical company. Simon says that the repairs of local roads, bridges, etc., were paid for by subscriptions of the residents, as also the upkeep of the pagodas used as market-places.

Chinese Clan System.—In China the bond of descent from a common clan is recognised, even though the descendants are not congregated in the same village. Thus another centre of union is found in the common ancestral temple or grave, although worship of the common ancestor is apt to decay unless there is common property whose tenure depends upon it. Mutual responsibility is a marked feature of Chinese life ; senior relatives for their juniors, and the elders of a clan for its members. The doctrine of vicarious responsibility in Chinese law is based on the theory that the relatives must exercise a moral influence. Chinese officials and judges encourage arbitration and private settlement in every way ; but when the parties refer their differences to the court, unless there has been a *bona-fide* mistake, the man who breaks a promise is as much a criminal as a murderer, though, of course, the penalty and the consequences are very different. The clan system brings in its train among its good features the development of hospitality, and relief to a brother clansman when out of work or in trouble or distress, on a far more liberal scale than might be expected. At stated

periods members of the clan meet at the family temple, and, after the performance of prescribed rites, such as prostration before and burning incense to the tablets, arrangements are made with regard to the disposal of the temple funds, and the proceedings wind up with convivialities as in the case of the Indian caste meetings. The members of the clan have the right, provided they have performed the necessary *sacra*, of partaking in the pecuniary advantages conferred by the funds of *tsu tang*, such as provisions for indigent widows, education for indigent orphans, etc., as the committee-men of the temples—usually five in number and each the representative of one or more branches of the clan—may determine. They have also the right in the " arable lands " and in common lands belonging to the clan. Much of the arable ground in China is held generally by a *chia* in common with a custom ordering rotation of crops. Hill lands are often exactly in the same position as the *mark* held in common by the village, all the inhabitants of which have right of pasture and of gathering fuel.[1] Thus both in China and in India the regulations of the village community, as well as equalizing measures as regards allotments of meadows or arable lands or periodical divisions, have satisfied the demands of the lacklands. In both these countries the increase of population has gradually tended to encroach upon the rights in commonalty; but, while in India the government has kept aloof from this agrarian unsettlement, in China such a tendency has been checked by a series of special measures.

Chinese Co-operative Societies.—The genius of the Chinese for communal administration has expressed itself in many a co-operative association in fields economic, social, and religious. In the East, social and political ends are intermixed; the vast number of associations on a voluntary basis perform their duties of local and social government. Thus, we are giving a brief survey of such associations and brotherhoods in China which, though primarily economic, religious or philanthropic in their objects, contribute their

[1] *Vide* " Chinese Laws and Customs," Gardner, in *J.R.A.S.*, Vol. XV; and Hirth: *Ancient History of China.*

share in rural and urban administration. In China, there is a network of co-operative loan associations which play an important part in Chinese agriculture. The simplest of the many plans, by which mutual loans are effected, is the contribution of a definite sum by each of the members of the society in rotation to some of their number. When all the rest have paid their assessment to the last man on the list, each one will have received back all that he put in and no more. The association is called in some places the "club of the seven worthies" (*chi hsien hui*). The technical name for any association of the kind in which co-operation is most conspicuous is *she*. The man who is in need of money (*she-chu*) invites certain of his friends to co-operate with him and in turn to invite some of their friends to do the same. When the requisite number has been secured, the members (*she-yu*) assemble and fix the order in which each shall have the use of the common fund. This would probably be decided by lot. The methods of societies which exact interest for loans differ greatly in every detail. And there is evidently no limit to the variations which local custom may adopt in any particular district. The principle of organisation of many of these societies is that of unlimited liability in modern credit co-operation. For no one is willing to enter into a society of this kind unless it is reasonably certain that each member of the society meets every assessment, for, if any individual fails to pay, everything is at a deadlock. To guard against this, it is customary to have security, or bondsmen, in some instances the headman acting as bail for all the rest. In case of failure on the part of any member to meet his payment, the headman is then required to pay the amount lacking. So prevalent are these societies that out of twenty millions of people scarcely a thousand will be found who are not in course of their lives associated.

There are, again, in many districts societies for watching the field-crops. The arrangement for guarding standing crops is entered into by a single village, or generally by a considerable number of contiguous villages. The details are agreed upon at a meeting called for the purpose in some

temple convenient to all the villagers, and the meeting is attended by representatives of each village interested. To provide an adequate tribunal to take cognisance of theft, the representatives of the several villages concerned, in public assembly, nominate certain headmen from each village who constitute a court before which offenders are to be brought and by which fines are to be levied.

New Year Societies are also started, and these represent an ingenious form of Chinese co-operation. Each member of the society contributes money in cash for five months of the year until the wheat-harvest. Thus, each one gets not only the benefit of interest for five months, but also nearly or quite double the value of the wheat bought just after harvest.

Not less significant illustrations of communal financing are to be found in the societies which have a religious object. Widely as they differ in the special purposes to which they are devoted, they all appear to share certain characteristics, generally four in number; the contribution of small sums at definite intervals by many persons; the superintendence of the finances by a very small number of the contributors; the loan of contributions at a high rate of interest, which is loaned and re-loaned again perpetually so as to accumulate compound interest in a short time and in large amounts; and, lastly, the employment of the accumulations in the religious observance for which the society was instituted accompanied by a certain amount of feasting participated in by the contributors.

The number and efficiency of the local and communal groups in industrial and commercial life are as marked in China as in India; but India certainly yields to China not merely as regards communal financing of agriculture but also in respect of mercantile credit sustained everywhere in China by mutual insurance companies.

Chinese Guilds.—Guild life in China, again, is more compact and effective. It is definitely known that the Chinese have used the guild organisation for well over one thousand years. As in India, membership in a guild is ordinarily limited to those who belong to one occupation, trade or line

of work. Thus, a large number of guilds are organised in the cities both of China and India. Sometimes the workers in two or more lines unite in one guild, as in India. The Pancha Brahmo Sabha, for example, represented by the seven tribes and five artisan classes of Madura, has its related organisation in Peking in the bone and horn guild which includes the makers of tooth-brushes, hair-pins, combs, shoe-horns, spectacle-frames and tongue-scrapers. The territory in which the Chinese or Indian guild operates includes a city and the country immediately surrounding it; and, while in India the sub-castes, which are often occupational divisions, are organised along local lines, in China the guilds divide the city for administrative purposes into districts and set up a complete guild organisation in each district. Both in China and India guilds have a provincial organisation in a few cases, especially among merchants, gold-dealers, etc. Much of the powers which the Indian guilds had formerly exercised are still intact among the Chinese guilds. In its field the power of the Chinese guild is stronger than that of the police. This power is exercised by the guild's executive council, which often consists of as many as forty-eight guild officials with different titles and duties, elected either by ballot or by the general manager. The guild rules, besides fixing prices, wages, hours of work, and the length of apprenticeship, touch a multitude of things connected with the life of its members. It has been the guilds, rather than the government, that have established and maintained trade standards of weight, measure, and quality, though the standards adopted by the different guilds have not been necessarily the same. It is well known that such functions were exercised by the Indian guilds in the past. The securing of justice in China is also left to a very large extent to the committees of guilds who are well versed in the customs and usages of the locality. The guild also helps in the expenses of a lawsuit of a member, if it be thought a worthy one. The members are expected to contribute a certain sum on the promise of assistance when sick or disabled, and to render assistance at fires, and the guild often has a fire-engine of its own. It subscribes to the

funeral expenses of its poorer members, sometimes presenting the coffin. These customs prevent and mitigate a vast amount of poverty.

In commerce, different trading guilds have elaborate rules to take the place of a modern commercial code; indeed, all the details of the relations between merchants and the public, between different merchants and between employers and employed, are covered by the guild rules. The banking laws provided by the bankers' guilds are enforced by their executive councils. Caterers and grocers, fishermen and butchers, doctors and midwives—all have their guilds and rules to protect the interest of the trade and to decide all disputes that may arise among the members of a single trade or of different trades. Those guilds have no power to inflict criminal punishments, which are reserved for the district magistrate, but they are fully entitled to impose a fine to almost any amount on the defeated litigant in order to compensate the injured party. It is only on rare occasions when the guild or family find itself unable to pass a judgment on the dispute or the parties concerned refuse to abide by its decision, that the district magistrate is approached for a judicial examination. The magistrate in deciding the case would apply common or case law (Sih-Gung Cheng).

The income of guilds in China, as in India, is acquired chiefly from taxes on the amount of the members' sales, from entrance fees, and from fines. The members' books are examined periodically, and members with false accounts are heavily fined or are expelled.

The tax levied is generally one-tenth of one per cent. on all sales effected by members. At first sight this percentage appears insignificant, but so great is the volume of internal trade that the amount realised not only covers every requirement, but also furnishes a surplus for luxurious feasts. In one guild at Ningpo the reserve fund was lately stated to be 700,000 dollars, to which must be added the amount realised by the deposit exacted from every new member of 3,000 dollars. Against the income account must be set down large outgoings in several directions. In the case of a member going to law with the sanction of the guild, he

receives half his law expenses, and a not inconsiderable sum is yearly disbursed in payment from their homes. Besides these outgoings, money is advanced on cargoes expected, and is lent for the purchase of return ventures. The rules regulating the guilds are numerous and strictly enforced.

In Chinese guilds, as in those in India, unjust weights, or unfairly loaded goods, are unhesitatingly condemned, and substantial fines are inflicted on members found guilty of using such devices. By the influence of the unions wages are settled, the hours of work are determined, and the number of apprentices to be taken into each trade is definitely fixed. Silk-weavers are not allowed to work after nine o'clock in the evening, nor are any workmen permitted to labour during the holidays proclaimed by the guild (Douglas).

Chinese City Gentry.—The leading members of the guilds, together with some retired officials and men of literary eminence, form the city gentry, who play a leading part in local self-government. In cases like river conservancy and famine relief, which affect more than one town (if not the whole province) they invite the co-operation of the gentry of other districts ; and, in times of conflict with the viceroy or governor, they also take collective action with them.

Co-operative China.—The family, the clan, the guild and the unorganised gentry play the leading part in rural and urban self-government ; but, as we have already seen, there is an endless variety of groups and associations organised on a free and voluntary basis for an endless variety of social ends and purposes which make China a vast self-governed and law-abiding society, costing practically nothing to maintain.[1]

There are orphan asylums in almost every city and frequently in villages ; societies for aid to widows ; free day schools everywhere, supported by the rich ; public asylums, orphanages, widows' homes, soup kitchens and life-saving institutions established by the gentry. There are institutions that give industrial training to boys and girls and provide work for those who cannot find employment. There is also gratuitous distribution of medicines,

[1] Sih-Gung Cheng : *Modern China* ; and Gamble : *Peking*.

and of books of moral edification (Nevins, pp. 214-225; Morache, p. 118). Not less numerous are societies for aiding indigent persons in paying marriage and burial expenses; for distributing second-hand clothing; for establishing granaries; for building roads and bridges to facilitate industry; for saving drowning persons and furnishing biers for the drowned; for taking care of foundlings and lepers.

Economic, political, benevolent and religious, there are all sorts of societies—public and secret—which honeycomb the Chinese national life, expressing and satisfying the Eastern instinct to think and to act in groups; and they still arise in myriads as vigorously, according to a foreign observer, as they did in France on the eve of great revolution, or as they do in America in the present day of political and social transition.

"The people crystallise into associations; in the town and in the country, in buying and in selling, in studies, in fights, and in politics, everybody must co-operate with somebody else—women as well as men. To belong to one or more *hwui*, and be identified with its fortunes, and enlisted in its struggles, seems to be the stimulus to activity, resulting from the democratic element in Chinese polity, to which we are to refer many singular features of the national character. In trade capitalists associate to found great banks, to sell favourite medicines, or engross leading staples; little farmers club together to buy an ox, pedlers to get the custom of a street, porters to monopolise the loads in a ward, or chair-bearers to furnish all the sedans of a town. Beggars are allotted to one or two streets by their *hwui*, a d driven off another's beat if they encroach. Each guild of carpenters, silkmen, masons or even physicians and teachers, works to advance its own interests, keep its own members in order, and defend itself against its opponents. Villagers form themselves into organisations against the wiles of powerful clans; and unscrupulous officials are met and baulked by popular unions when they least expect it. Women and mothers get up a company to procure a trousseau, to buy an article of dress or furniture, to pay for a son's wedding. Associations are limited to a year, to a month, to a decade, according to their design. These various forms of co-operation teach the people to know each other, while they also furnish agencies for unscrupulous men to oppress and crush out their enemies, gratify their revenge and intimidate enterprise." (Williams: *Middle Kingdom*, ii. 87–8.)

The great administrative problem of China to-day is the same as that of India, viz., how to reorganise and expand the local and communal traditions of self-government, and to incorporate the machinery of the family and the guild rule into the substance of the national State. China as well as India must build new governmental machinery on old, tried foundations.

Indian Group-life.—India resembles China in not having developed the centralised organs of State authority or a communistic democracy, but intermediate social groups, like the joint family as the unit in the economic life, the guilds and castes as industrial groups, the *varnas* and *asramas* in religious life, the village communities and *panchayats* in political life. India's constructive principle of social organisation has been the co-operation of individuals in the group, as well as of individuals with the larger society and polity in and through the group life under a scheme of communal and personal values. And the concept of *varna-asrama-dharma*, the code of communal duties, however corrupted by close interests in the course of ages, has in its central idea proposed the subordination of exclusive group-interests to the organisation of the *Dharma*, or the ideal of man's full comprehensive life, satisfying personal as well as social, material and spiritual wants on the basis of a social federation securing to each group and its members their rights as well as their duties in a universally recognised order. Examples of this kind of group-formation are most common in countries like India and China. Its basic principle is the completeness of the group, the totality of life and culture; each represents the harmony of the diverse groups with diverse organs and functions which all co-operate not merely to a common end but also to the common realisation by each of its particular end. In the scheme of polity its fundamental strength lies in the emphasis of natural and human relationships and of functional interests as the basis of the organisation of multiform voluntary and local intermediary bodies between the State and the individual, leaving little room for the unattached individual or the social rebel. Its fundamental defect lies in the pressure of custom, the

crystallisation of the groups and the weakness of the central authority of the State. Thus, both China and India, the homes of local bodies and village assemblies, of guilds and brotherhoods widely distributed from North to South and from East to West, have shown inefficiency in many respects and are victims to the pressure of another system of polity.

Western Class and Eastern Group Systems.—The Western structure has shown considerably greater mechanical efficiency under her dominating central organs, but her organisation of capitalistic production and her remarkably strong and over-mastering State mind and morality have borne seeds of social disparity and individual exploitation. The pivot of her social process is the class system and her lever individualism, and these now work to abolish the wage-slavery and the " State-absolutism " in industry and in government which have been the price for her mastery over the whole world. A class in the West is too much an interest-group formed for the satisfaction of individual interests and needs, and the mode of satisfaction is found in competition, and its criterion in contract, and to-day it is being organised in the political life of the nation. The communal group, on the other hand, in the East represents in its formation the totality of life-interests. Its ideal is the harmonisation of group with social interests and of individual with group interests, and its lever is not competition but service.

Indian Groups regulated by Communal Ethics.—The separation of communal groups in the East was limited by the regulative ideas of a socialised religion and common ethical idea. The *Asrama-Dharma* or the Code of Individual Duty in India, associated with *Varna-Dharma* or the Communal Code, represented an eternal code of duty of a universal character and sought to hinder the crystallisation of group feeling. In the Indian scheme no one group would enfold the individual, because of his multiple nature. The individual would enter into various group relations and use these for an expanding scale of communal and spiritual life. The different groups would bring into appearance the multiple sides of the individuals; out of the various and

varying group-allegiances would spring a co-operative allegiance through which the individual mounts from height to height, always the whole of the individual mounting. The *Vaisya Dharma* or the Communal Code of Merchants, for instance, has sought to limit earnings to just as opposed to unjust methods, and the customary or guild regulation of fair prices and fair wages, as well as the obligations of this class for the maintenance of the communal endowments of intellectual and spiritual interests, and of every class of charitable works and institutions, represented a code regulating the economic war of competition even in the same way as there was an answering code of *Kshatra Dharma*, for the regulation of warfare and inter-state relations, which, anticipating as it did, thousands of years ago, the modern international regulations for belligerents and neutrals, was a monument of Hindu humanistic civilisation and culture.

Degeneration in Class and Group Systems.—The degeneration of the class system is seen in many of the civil wars and revolutions of the West, and these are now followed by class struggles, strikes and lock-outs, syndicalist, and bolshevist as well as women's movements. The class, as such in the workshops, for instance, makes the demand for a definite recognition with definite consequences; it is direct action in opposition to indirect action through parliamentary representatives. There is a repudiation of the indirect methods of representation and political party. A similar story of degeneration is also to be told about the Indian communal groups. In India nothing was more characteristic than the inter-locking and overlapping of groups, the elastic and flexible interaction between the groups which made it possible for individuals to change constantly their relations, their groups, without destroying social cohesion. As a result of degeneration groups have been separated and dissolved, or become rigid in order to check the morbid and disruptive tendencies which are specially liable to break out under the pressure of alien intrusions and inroads from without, as well as under the handicap of too many heterogeneous stocks and congeries of stocks, the assimilation of which is the sphinx riddle proposed to India's

civilisation and culture. In India the castes and their codes have become rigid, and the elaborate differentiation and segregation have encouraged disruptive tendencies, though the attempt at conscious selection, especially in the presence of heterogeneous strata, which intensified the risks of indiscriminate mating, need not be condemned off-hand in an age of prolific social theories and experiments in connection with eugenics and social segregation, and in the interests of vitality and personality classes. But the family, the guild, the village community and the *panchayat*, though developing separate interests and ownership within the group, have retained their vital principle intact; nor has caste segregation inhibited the self-managed co-operation in guild and village assemblies.

Chinese Clan and Village Temple.—In China the family has overpowered to some extent the individual, but the village hall and the village ancestral temple, as well as the occupational and traders' guilds and the gentry in the provincial capitals, towns and villages, are serving important functions in the economy of the country. China does not show the elaborate social divisions of India; and her villages and their unions, with mutual charters and agreements, show greater vitality and strength. As, in India, the organisation of caste has not prevented common and harmonious action in neighbourhood groups, so, in China, the clan system has not been an obstacle to a larger unity in society. The members of each clan, which may be distributed over a number of villages, as in Northern India, have a common ancestral hall, that owns agricultural lands and lets them out to the landless, and otherwise relieves destitution. There is also the village temple, which is the centre of social life of the villagers irrespectively of their clans. Like the village *panch* in India, the village elders thus may belong to different clans. The Chinese village temple has various sources of revenue like the *mandapam* or *sabha* of the Indian village; education and sanitation, maintenance of the police and the repair and management of public works, medical and poor relief are conducted by the village assembly, and by myriads of voluntary associations with little interference from the

central government. In a communalistic polity territorial and clan or functional groups interlock and interweave, and there arise out of the voluntary co-operation of the groups the traditions of social functioning which are more adaptive than the fiats of sovereigns or the decrees of magistrates. Both India and China have still preserved the vitality of the village polity and the self-directing industry and agriculture within the autonomous villages, as well as the effective co-operation of the occupational guilds and brotherhoods in the cities; both are thus aggregates of an infinite number of democratic communities regulating their lives within a larger social community, which is wider and deeper than the State.

Development of Eastern and Western Systems.—From a comparative standpoint, it would thus appear that, while the foundation of Eastern society is the pluralism of the group as an intermediate body between the State and individual units, that of the Western social structure is the dualism between the State and the individual. The development of Eastern social institutions lies in the direction of incorporating more and more the life of the individual and the general will of the State personality into the varied forms of social grouping; while that of the West, as it is now recognised, depends on the successful initiation of social and political experiments for the formation of intermediate social and political groups, based on communal sympathies, and functional interests. The East must give up group particularism; the group, revivified and unifying, must look to its manifold relations by the constant recognition that any whole is always the element of a larger whole. The West must give up the old particularism of the individual and recognise the value of the group for the development of the multiple man who is the germ of the unified State. The unit of society is neither the sovereign group nor the particularist individual, but the group-individual, or, if you please, the individual in the group and the group in the individual.

Feudalism in Britain.—In the West the present structures of polity and industry are the almost necessary conse-

quences of medieval conditions. Local government and corporations of various kinds are features common to various countries and ages. In Britain, in Anglo-Saxon-Danish times, there were self-governing villages too; they had their carefully partitioned open arable fields, their moots, their reeves; and public duties performed by the village elders in India may well be compared with the *trinoda necessitas* in Anglo-Saxon life. But the English villages were upstart settlements of invaders, and the feudal system made short work of them. Under feudal conditions of Norman times based upon military organisation, the workers on the land were gradually pressed down until at last the greater number of them were reduced to a condition of bondage by the lords. The decay, both of the manorial system and the feudal organisation, with the growing commercialism of the sixteenth and succeeding centuries, was accompanied by the transition from customary tenants and bondsmen to tenant farmers and labourers. But the continuous policy and process of enclosures, so fruitful in the economic development of England's agriculture, extinguished the rights of future generations in the village arable and the commons, and ever since has been the serious handicap to the social uplift of the English peasantry. We need not pursue the story of the vicissitudes of English rural life further; but only note that the remnants of the bastard feudalism that, arising in the eighteenth century, had done so much harm to English rural life, have not as yet dissolved. The disattached and mutually repellent guilds and corporations which feudalism, with its emphasis of "particularism" in politics, left behind in Europe could be welded together by nothing short of a political system constructed upon the principle of territorialism, under the rule of absolute monarchs.

Restriction of Local Government under Absolutism.—It was only in Germany that we saw the power of the cities which ultimately formed the famous voluntary leagues, or the force of voluntary combination, uniting nobles and clergy, knights and citizens and even peasants, as in the famous case of the Swiss, into comprehensive unions; but these could offer no effective resistance to the predominant

absolutism. In England and France, no such spontaneous impulse to association was manifested by the cities. The impulse proceeded from the politic calculation of the sovereign or the calculation for moral support of the feudal baronage. In France, the power of the crown grew intensively and extensively, and with it the internal order and coherence of the realm, whilst the administrative independence and especially the semi-sovereign powers acquired by some cities were gradually reduced or abolished. Local bodies could not thrive, and those that flourished were the result of charters or other formal grants issued by kings. Local finance was only an extension of imperial finance. M. A. Giron in his *Droit Administratif* says of Belgium: "It is a maxim of our public law that communal, like provincial taxes, can only be levied with the consent of the sovereign." This is in striking contrast with India, where the past governments always respected the communal law and right as regards the levy of communal taxes and all regulations thereto.

Western Centralised Government.—In France and Germany, Belgium and Austria, the functions and powers of the local councils are narrowly limited; and their actual interferences with the day by day administration are, in almost all cases, subject to the control and approval of the central executive department. This relation between central and local government has given rise to all the evils associated with the bureaucratic system. In Great Britain, by the system of the Grant-in-Aid—seen at its best in the old police grant or in the modern education grants—there is some combination of local autonomy with the necessary protection of the interests of the community as a whole. But generally official criticism and supervision have been too insistent, and on the increase. In the development of Western polity local government has been, indeed, only an emanation of the Central Government—an extension of the latter's sphere of control embracing the smallest local concerns.[1]

Chinese Federal Government.—In China, on the other

[1] Cf. Grice: *National and Local Finance.*

hand, the Municipal and State (provincial) Government is almost entirely in the hands of the Chinese, while the Federal (imperial) administration is influenced and controlled as much by Chinese as by Manchu minds, with the further proviso, that full weight is given in the Emperor's Council Halls to the shrewd brains of the Chinese Councillors. Here the American federal system finds its counterpart in some respect in the semi-independence of the central and provincial administration, but the means of providing for the maintenance of the Imperial Government resemble much more closely the German system based on the combination of Imperial Taxes and Matriculation assessed in the federated states (Morse).

Central *v.* Multiple State.—In Western Europe and the United States, the State is not only a strong master but the only master. Sovereignty resides in the firm and strong central group, not always the fair and generous group; it is too often single and indivisible. Laws are the expressions of a sovereign rather than the group will. In the East the origin and validity of laws have rested not on the fiats of a centralised organ, but on the system of social and moral traditions that arise out of voluntary and self-managed co-operation of the intermediate bodies. Each group has its own recognised function, its own duty and its own culture; each is as self-nurtured and independent as the students, say, or the artists, or the doctors, or the Church, or any profession, guild or brotherhood. Each with its ambitions for a worthy and complete life, having particulate jurisdiction, seeks to participate in the sovereignty, which is, therefore, multiple and multi-cellular. The State not being the typical guide in social aspiration, there is far less of its cultural authority and activity than of the groups themselves.

The Modern State in Transition.—The State has become too much the descendent of the invader and conqueror who levies tribute rather than the development of the local or non-local bodies, the village communities or the free cities. Thus we find an inevitable reaction against bureaucracy and class rule, against the factions and fickleness of democratic parties, or the unscrupulous log-rolling of democratic

groups. Capitalism, financialism, Prussianism, exploitation of the subject class and subject races are the economic accompaniments of this stage of political evolution. And so we find to-day not merely such new political creeds as expressed in the phrases as " the State is a community of communities," " functional Government," " national guilds," " collective or communal mind," but see most vital collectivistic, co-operative and syndicalist experiments and the organisation of a ring of free groups, local committees and tribunals, which the central authority gradually has to recognise as integral parts of a common body politic. This even in old and conservative countries, where both Guild Socialism and Syndicalism have stood for a movement which aims at bringing more self-government into the methods and more control of the instruments of industry, with more delegation of real powers to the occupational and professional guilds and other intermediary bodies ; while, in the feverish political and economic experiments of Central and Eastern Europe, there is now emerging out of the ruins of capitalism, financialism and militarism, the self-governing village, the occupational *artel* or the self-directing industry as the political unit of bolshevik agitation and soviet rule. Throughout Europe, as a recent writer puts it in his illuminative book, *The New State ; Group organisation the solution of popular government*, a salient political fact to-day is the increasing amount and power of group life. Politics cannot be founded on representative or electoral methods but must rest on vital modes of association. Even old conservative countries are revising their political theories and judgments.

Decentralisation in the West.—In England, the House of Commons has debated federalism as the remedy for manifold ills and the unused potentialities of German decentralisation may lead to the results so long expected now that the deadening pressure of Prussian domination has been withdrawn. In France, there is to-day a vigorous renewal of an effort of decentralisation, and it does not seem unlikely that some reconstruction of ancient provinces will at last compensate for the dangerous absorptiveness of Paris. In America, federalism to-day applies not merely to territories

but also to functions; industries are fast becoming the new states of the Federation. Everywhere the development of trade union federalism has separated the processes of production and consumption in such fashion as to destroy for practical purposes the unique sovereignty of a territorial parliament founded on old electoral methods. Whether the unit be territorial, like the parish council, or industrial, like that envisaged by the shop steward movement in England, there is an attempt to base politics on units sufficiently small to make the individual feel significant in them.[1]

Russian Mir and Artel.—In Russia, the *mir* or village community and the *artel* or occupational guild are famous and ancient institutions which have their origin in the earliest known communities, but are still leading characteristics of Russian economy. The most historic and characteristic of Russian institutions is certainly the *mir*. Stepniak, in his famous book on the Russian peasantry, has described the natural and immemorial institution, the village commune. The open-air meetings of all the peasants, the *mir*, were acknowledged as the chief authority both in the village commune and in the rural *volost* or district, an administrative unit embracing a few village communes. We are told by Palmer (*Russian Life in Town and Country*) that the *mir* divides the land among members of the community, just as it did before serfdom threw its shadow over peasant life. The *mir*, or elected village council, which apportioned the land amongst its members, also decides what proportion of the taxes each member shall pay. These village communities enjoy a very extended form of self-government, electing their own village mayor or *starosta*, the *starshina* or mayor of the commune, and other officials. In another passage we are told, "as might be expected disputes and difficulties of all kinds constantly arise in the peasant system of self-government, but only a very small proportion of them is ever sent for settlement to the higher tribunals." The *mir*, the self-governing body with no trace of hierarchy or distinction of ranks,

[1] For a summary of this new movement for decentralisation, see Harold Laski's *Authority in the Modern State* and the *Philosophical Review*, Vol. XXVIII.

wielding virtually unlimited authority within its own sphere of action, is the firmest foundation for Russian constitutionalism and democracy. This old, democratic social control, *mir*, has now made its presence felt. The *mirs* have been federated into district, municipal, provincial soviets and, joining with the *artels*, or the working-men's councils of the great cities, have become the all-Russian National Soviet. It is now managed by the bolshevik party, but it is the actual social control of the soviet structure, the only binder in the national life of Russia, a machinery similar, from the administrative point of view, to the city councils, local bodies, and parliaments of the British or American form of government. But while these latter have arisen as a result of administrative decentralisation or delegation of powers from the central authority, the former has its roots in the bedrock of the people's communal life. In Russia, and (for a time) in Hungary, and even in Germany, political democracy, as understood in Western Europe, has been superseded by soviets and working-men's councils. Essentially the soviet is formed on the principle of "the old village communal council" (*skod*), which has existed for the last thousand years: thus writes G. Lomonossoff. Cavour's prophecy that Russia will revolutionise the world with her system of the *mir* was thus revived by the communists.

Soviet Russia.—But Russia is now in a state of despair, and this is due not merely to the effects of the abolition of private trade and the forcible suppression of individual initiative in the bolshevik régime, but also to the inheritance by the soviet of certain policies from the old régime which from its very nature it cannot cope with. The limitation of the size of Czarist Russia by the emergence of new republics based upon ethnical individuality or regional peculiarity cannot be ascribed to any soviet mistake; indeed, it was but the natural outcome of the extension of the soviet idea. The fundamental limitation of sovietism lies in the fact that it could not adjust the urban and rustic interests in a common system of administration that might do away with the necessity for an exercise of a dictatorship. And, indeed, the dicta-

torship of the proletariat is nothing but an inversion of the Czarist absolutism. Thus the bolsheviks now govern by oligarchic and bureaucratic methods, and the soviet system has been transformed into a rigid system of political autocracy justifiable only, if at all, by the exigencies of her desperate situation. The principle of private enterprise again has to be recognised and the commercial laws and judicial procedure of capitalist countries introduced. The communist ideas for the present have been jettisoned. Yet two principles of organisation in Soviet Russia seem to emerge out of the appalling loss of life, wealth and capacity. In the first place, the soviet form of control operates throughout the social structures; the soviets are the old village councils, strengthened by important powers and privileges, though at present they are dominated by the communist government. In the second place, the application of the doctrine that the representation of democracy may be better organised on a basis of interests than of localities will bear fruit in the political experiments of the future, when the present exaggerations of class consciousness and its contempt of social solidarity subside. At present, however, the workmen in no sense have control of industry. The heads of the various departments are really in command, and the only approach to industrial democracy is something like a system of control of discipline as seen in English and American industrial administration. Thus it is difficult to understand whether Russia in her reversion will lead to an entirely different destination or to the fulfilment of the great hopes placed on the novel scheme of socio-economic democracy of soviets.

Sovietism as a Political Method.—The new political method, though an experiment of the old Russian communalism, has captured the imagination of a greater number of people in the West than is commonly realised. As has been well pointed out, the bolsheviks are merely one party, but the soviets are a form of government. It is class-dictatorship to-day because the machinery of government has been captured by the revolutionary Marxists. Thus the Red Terror has its counterpart in the excesses of the communes

in the Reign of Terror in the first French Revolution as well as in the crisis of 1870. In fact, many of the methods of the soviet democracy had been anticipated by the communards of French history, whose economic schemes and ideals demand much closer attention than they have received. But, as at present taken, it is a new political method which, in its revival of communes and its re-orientation of local bodies and unions, seeks to put an end to that dualism between the State and the individual which has so long prevented democracy, conscious of its power, from obtaining any effective control of the instruments of government. In spite of the excesses of the bolsheviks inspired by revolutionary Marxism, it represents a new order of social and economic democracy, based on the indigenous organisation of group-in-the-individual and of individual-in-the-group—which the Russian mujik alone among the peoples of the West may have been fitted by centuries of suffering and humiliation to proclaim to a despairing world in the hour of doom, pronounced on political methods and institutions that have been weighed in the balances and found wanting. Stanley Hall, after a careful examination of the evidence, has thus explained the almost unlimited possibilities of the soviet principle, relatively few of which the bolshevism that adopted it has yet realised. We quote him at length: "The soviet principle of rule by representation by different industrial groups, instead of by delegates chosen from geographical and political localities, has a vitality and possibility of development in it which statesmen reared under the present system can never begin to realise. Many tentatives the world over had prepared the way for it, and have helped to make its diffusion so rapid. Every form of trades unionism has brought a new sense of craft brotherhood, helped on by all trade schools and the new vocational consciousness and loyalty culminating in syndicalism. In Russia the Zemstvos, which had long given a progressively restricted form of self-government of local communities, awoke to a new activity early in the war uniting in an All-Russian Union, to first provide food and then to supply munitions to the soldiers, till all classes realised the insuffi-

ciency of the Prussianised government and its often traitorous officials which had kept the army without supplies. The soviet strove and in no small degree succeeded in becoming the heir to the spirit and tendencies of the Zemstvos. In China the guildic organisations, which have for centuries supplemented the inefficiency of the political government, and which are largely responsible for the unique stability of Chinese society, have especially in the student movements of that country, now so dominating in their influence, developed the keenest interest in the soviet principle as something China will sooner or later profit by." Unfortunately, the natural expansion of an intermediate group organisation on a voluntary basis, which represents the essence of soviet democracy, has been arrested and vitiated by State socialistic activity in the interests of food control and consequent regimentation forced on it by military intervention and economic blockade, as well as the imperative famine-relief problem. Thus it is that institutions in their making lose their purity and become hybrid and sterile. This is the great danger, the rock ahead, of the soviet structure. But, apart from these excesses, the pluralistic principle of social grouping which had expressed the deep-seated communal instincts of the Russian mujik in all Russian history, in land organisation and agrarian distribution, in workingmen's *artel* and agriculturists' association, in *zemstvo* and *mir* or in the monastic brotherhood, is perhaps giving birth to an altogether new political order, based not on representative methods, but founded on the old and essential modes of association, and the present upheavals may in a profounder interpretation of history be read as its first travails.

Reverberations of the Russian Revolution.—The Russian revolution has encouraged everywhere an opposition to the State as a bulwark of capitalism and the demand of labour for self-government in industry. Group-ownership and management are emphasised in every field, and the State and capitalistic industry restrict their activities. In England, France, and Italy, the economic functions of government recently have undergone a violent set-back. The successive national strikes have been tests for the government, ordeals

for the public and trials for the trade unions. It comes to be gradually but inevitably recognised that industrial strife, syndicalist "designs" and "direct action" can be prevented only by the devolution of power and responsibility to the great trade-union leaders; as regards industrial government and regulation it seems that the centre of gravity is passing in Western Europe from the State departments to the executive committees of the great trade-unions. Bernard Bosanquet very succinctly and impartially summarises these recent demands and social ideals. Labour demands self-government and freedom as more important than wages and as something which is not secured through public ownership *per se*. The mere owner is the State, but the management rests with labour organised according to industries—not merely according to crafts—a matter of dispute in the labour-world of to-day. Industries are enormous units such as the coal-miners' industry, the shipping industry, the building industry; crafts are such units as carpentry, blacksmithing, plumbing and the like. The first step, it is urged, is to get trade unions organised according to industries; next to get them recognised as managing units of industry, for which the name of National Guilds has been suggested. Then the management of production is to be with the organisations of these units over against the State, which is the mere owner of the means of production, and in the settlement of prices speaks for the consumer, having as a weapon in its hands the power of taxation. This question of the representation of the consumer, otherwise than by the mere higgling of the market in face of competing producers, is certainly an important one; witness also the account of such an arrangement in the working-class co-operative movement, which, again, seeks to unite ownership with management. A self-governing system of industry is the ideal; but the greatest difficulty will be felt in the reconciliation of rights with efficient organisation in this connection. State ownership is absentee ownership at its worst; while industry is becoming too huge for individual ownership of the productive unit to be possible. The organisation of working-men's councils, unions and

federation and loyalty to class principles and organisation have enabled the workers to demand a higher standard of life and a higher status in industry. The demand for the nationalisation of vital industries and services like the mines and the railways is accompanied by a demand for democratic control which will ensure to the workers a genuine share in the management of industry. The workers are to-day as much opposed to the bureaucratic methods of conducting industry as they are to the capitalistic method or to the servile State. In every field centralised methods seem no longer tolerable, the capitalistic industry or the socialistic or servile State appear doomed to disappear, and the organisation of intermediate units and groups a certainty. From among these real public opinion will emerge which will protect the group and the individual from exploitation, and, supporting the government as the constitutional representative of the nation, will check the aggression of any group or section of it.

Western Trend to Communalism.—In the present reaction in Western Europe against the methods of democracy, we find a gradual curtailment of State rights and a delegation of these to the numerous intermediate industrial units and functional groups which are arising out of the *débris* of capitalism and State absolutism. In the transitional period of change of the actual social control, both conservatism and class selfishness are inhibiting the institutional expression of communal and functional values that have hitherto been neglected in the political structure, while "direct action" and revolution are postponing the experiments towards a healthier and more natural group organisation as the mode of democracy. The experiments in Western Europe towards communalism are as yet hesitating and confused, or warped in wrong directions by revolutionary excesses and consequent reactions. But the Russian experiment, which is decisive and propagandist, is a distinctively new contribution to the social history of man. Expanded out of the vestigial remains of the Slavonic communal democracy, the soviet structure has been harnessed by the bolshevik party to control the production and distribution

of wealth in the interests of the proletariat. The species of constitution that sovietism implies is new to the West, but old and time-honoured in the East—in fact the success of this type of democracy in Russia encourages the Eastern hope that in order to evolve popular sovereignty every nation need not repeat the capitalistic régime and the incorporation of classes into political institutions by which Western Europe and the United States were transformed in the nineteenth century. Wherever village councils and communal assemblies have survived, whether among the subject and semi-subject peoples of the East or among the new nationalities of Europe which have sprung up between the Jura and the Ural ranges, the revival of democracy will come from the autonomous little republics of rural communes. The question of co-ordination or centralisation will be solved by an application within proper limits of the principle of delegation and responsibility which the new constitution must adapt to itself. In the myriad local and functional bodies, an active and responsible popular sovereignty will emerge spontaneously, developing local initiative and independence ; a large amount of misgovernment and of centralisation, which dwarfs the intellectual and moral faculties and incapacitates for citizenship, thus will be avoided. In China and India, we have a long-continued history of local self-government on the basis of the village communities. The deeply humanised and socialised life of many of the Eastern stocks, in the course of a long history of peaceful agricultural settlement and colonisation, has checked, however, the instinct of communism which, among the more or less nomadic Slavs and under the special conditions of Russian agrarian history, chequered the smooth development of democracy out of the rural commune. Nor can the new Russia show the exuberant variety of functional non-local bodies and associations which arise spontaneously throughout the East to meet deeper needs and values than a bare economic democracy can satisfy.

Eastern Polity of Interest to the West.—For the realisation of the ideal of true political liberty without any violent convulsion of society, is there no value for the West of the

Eastern principle of social grouping, which has always recognised the free and independent interests of the original constituent bodies and individuals, resulting not in the emphasis of the impulses and desires that centre round appropriation and exploitation, and that have created the socialistic State and private property in the West, not in the concentration of power in dominating central organs such as the militaristic or capitalistic types of organisation, but in a decentralised polity, and a communal organisation of autonomous economic groups? These give the best scope for the natural relationships and functional needs and the development of the impulses to create and to distribute. In the East each functional group is the expression of genuine needs and desires; it is organic and permanent, self-nurtured and independent. This is at once the cause and effect of her communalism, the solidarity of her social organisation, the abstract nature of her political fabric and her universal and cosmic desire of humanity out and away beyond the State and beyond the social community itself. But to-day the communalistic polity is threatened; the difference between Western and Eastern society is being obliterated by one contemporary mechanical exploitative type under the weight of which all civilisation is groaning. In this era of world-unrest and reconstruction, when the evils prevalent throughout the world have been disclosed by the world-war, will the lives and life-values, the experiences of more than half the human race, the Asiatic peoples and their social constructions and organisations, which are in essence not less real and significant than the Græco-Romano-Gothic consciousness and its works and experiences, count for nothing? What, again, is the doctrine of political self-determination worth if the parliamentary system and machinery of representative government which have not been wholly successful in the West are superimposed upon Eastern social structure, neglecting the living past of our own methods and instruments of democracy; or if artificial administrative creations like municipalities, district boards, local fund unions, village sanitation and education committees are triumphantly multiplied, while both

legislation and administration are busy disintegrating the old and essential democracy born within the group and developing its exuberant variety of local and non-local associations ?

PART II.

SOCIOLOGY AND POLITICS.

CHAPTER IX.

COMPARATIVE POLITICS FROM EASTERN DATA.

Origins of Monistic and Pluralistic States.—Genetic Anthropology will give us the data of political origins in aggregations of families and clans, of hordes, tribes and folks, of groups and communities, of castes and classes. Even in primitive times the social organism must have been carried to some definite stage of differentiation with consequent development of the organs of social control. The evolution of the political community has thus been marked by an evolution of a social gradation; the classes in society have been based sometimes on wealth, land, age, wisdom, or qualification in a special direction, such as prowess in war. Along with the differentiation of classes organised on a social basis, we have a gradation of social values corresponding to the scheme of classification; and the social structure and values acting and reacting upon each other give rise to a social composition which serves as the foundation for political developments. The character of the political constitution thus depends upon the relation between the different grades in society and the different and specific functions or values which those grades represent. Now this relation may be of two different types:—(A) A particular grade or function or a few such grades or functions grouped together may be regarded as most vital, and hence most authoritative, exercising the sovereign power over the entire body politic. This type may be called monistic. (B) All the grades and functions may

be regarded as vital and essential in a political community, in which case political authority does not reside in a special group or groups classed together but is distributed among a number of similar groups of co-ordinate power, all exercising some amount of social control. Such a type may be called pluralistic. The exaggerated emphasis of a particular social function and the corresponding concentration of authority in a particular individual or social group exercising that function, are due to conditions of political geography and the characteristic political values of the particular region,—of anthropo-geography and social psychology. Thus the social constitution with its different social classes and functions becomes the foundation for political developments along two distinctive lines. Naturally both types of development of the State existed for a long time side by side, and even in modern political communities traces of both systems may be found. The first type (monistic) is usually preponderant where war has been the most powerful influence in the establishment of political institutions. The military class, under the tribal chieftain or war leader, gradually encroaches upon every sphere of social life, even of parental and ecclesiastical control. The natural steps by which states of the monistic type are formed through conquest are as follows:—(1) the transformation of the tribal chief into the warrior king, who often borrowed the patriarchal theory of descent and made his office hereditary and further strengthened his position by allying himself with the Church or by claiming divine descent or authority; (2) the replacement of the council of clan elders by the council of the kingdom, composed of the king's followers or companions; (3) the development of feudalism: the king becomes lord of the land, not of the people, and military allegiance and patriotism replace the former ties of real or pretended blood relationship or common worship; (4) the rise of a special military class; (5) the origin of social hierarchy. Such are in general the origins of the Roman Empire, and the states of modern Europe. The process through which the State was established by means of conquest followed two main forms:

(1) Sometimes the war leader, after firmly establishing his authority as ruler of his own tribe, extended his power by a process of consolidation over neighbouring tribes, until he became ruler of a large territory. In this way Anglo-Saxon England was united under the headship of the West Saxon chieftains, and the Frankish kingdom was built up under Clovis and his successors. (2) Sometimes the State was founded by a band of warriors after successful migration and conquest. In this way the Visigothic kingdom in Spain and the practically independent province of Normandy were established.[1]

The following would represent some of the steps by which states of the pluralistic type are formed by the predominant influence of gradual assimilation and absorption on the basis of the tribe and the clan, groups based on kinship, or neighbourhood (common land and water, etc.), confederation for defensive purposes as well as functional associations:—(1) kinship creates the social composition, builds up authority and regulations and develops feelings of racial unity, which all contribute towards the integration of the political community and the development of the social constitution[2]; (2) the State proper often develops through the expansion of the family and the clan, by genetic multiplication, aggregation and fission[3]; (3) such families or gentes, phratries or tribes are held together by the idea of descent from a common father, by the worship of the sacred fire of the earth and by sacrifices to a long line of divine ancestors, conducted by the heads of families, such ancestor worship establishing the unity of the body politic and laying the foundations of discipline and obedience from which the more advanced political forms are evolved[4]; (4) the land belongs not to the king but to the people aggregated in tribes, clans or village communities; (5) the council of the clan or village elders, assemblies of the region and folk-moots, break down the unity of sovereignty; a

[1] Cf. Gettel: *Problems in Political Evolution*; Jenks: *History of Politics*; and Oppenheimer: *The State*.
[2] Morgan: *Ancient Society*, Part III, chaps. I, III.
[3] Giddings: *Principles of Sociology*, pp. 285–293.
[4] De Coulanges: *The Ancient City*, Bks. I–III; W. Robertson Smith: *Religion of the Semites*.

system of local self-government is established, and the financial (and even military) resources are organised on the basis of voluntary co-operation of village, clan, caste and tribal assemblies.

Monistic and Pluralistic Law.—The nature of law and of rights is different in the two distinctive State types. In the monistic type of polity, the juristic concept expresses the idea or ideal of a sovereign authority, and accordingly a personal fiat or command with a body of sanctions based on the convention of the State is posited as the source of all codes of law, written or unwritten, including customs and usages that are traced to ethnic origins. This is helpful to the State being organised and consolidated as the centre of force, and the organ or exponent of the undivided sovereign will of the community. In a pluralistic State, on the other hand, law is the expression of cumulative tradition which itself arises out of the process of natural and social selection of quasi-instinctive responses in a given situation or environment. Those responses which happen to be successful and which therefore survive are developed into customaries and ethnic codes, and these are as varied as there are different functional or interest groups in a given region or society. Thus, habitual response crystallised into custom and working through the voluntary co-operation of diverse particularist and quasi-independent groups is the main root and source of law and codes in the pluralistic polity ; while organised personal and rational selection crystallised into convention and working through a central ratifying will or fiat becomes the governing juristic concept in a monistic polity.

This may be illustrated by a brief reference to the origins of types of law and codes in Indian communalism.

Development of Hindu Law.—The nature and development of Hindu Law have been largely conditioned by the social structure of a dense agricultural population settled under a network of *samuhas* and *sanghas* or associations like village communities and townships, and by the need of a synthetic comprehension of congeries of stocks and races which presented varied levels of culture and the assimila-

tion of which has been the great task proposed to Hindu civilisation. The large endowment of communal instincts of the Hindus has determined to a very large extent the type of juridical notions and ideals, which, however, were not developed in isolation and segregation from the great currents of culture of the past. The code of Hammurabi, for instance, brought to India the practice of marriage by purchase or contract (*asura* marriage), and Hindu Law had to find a place for it in its system with certain modifications and restrictions; probably the commercial and mercantile law and the law of corporations (*sambhuya-samutthana*, *nyasa*, *akshepa*, etc.) have been similarly influenced. Similarly the Dravidian and aboriginal elements contributed to Hindu Law the notions of marriage by capture, marriage by ravishment, the inheritance of sisters and sister's son as well as the building and communal maintenance of temples. Again, Islamic jurisprudence gave to Hindu Law the present form of the law of pre-emption, and forms of conveyancing and pleading. But Hindu Law, with all these foreign elements, became, under the Brahman lawgivers, a means for realising the ends of spiritual welfare, the legal doctrine of which was the formative principle moulding and regulating the multifarious communal and tribal laws and ethnic customaries. Thus the Brahman legist as the artificer of the Hindu civilisation found out and classified the higher motive for following and developing the laws and customaries which have sprung from lower ethnic levels, even as he discovered a social arrangement by which the lower communities could easily be assimilated into Hindu society.

Rights subservient to Duties in Hindu Law.—While the Hindu family approximated to the norm of the joint family as the social and economic unit of the Aryan group, the discretion of the Hindu *patria potestas* or any other status is a bundle of duties with a conception of right in due subservience to the proper performance of those duties. Right in Hindu jurisprudence is a discretion for the said performance, subject again to the control of a higher authority such as the code of morals, the spiritual head, or the community or guild or the State. It is this conception

of status as a bundle of duties with the conception of right within the limits of the same that explains the non-eligibility of the deformed, defective and feeble-minded for acquiring any family status because the duties which form the main conception of the law of status cannot adequately be performed by them. Modern jurists have tried to explain away these imperative duties as being mere moral obligations not legally enforcible. On the other hand, the discretion given for the due performance of these duties has been enlarged in recent court decisions into the conception of absolute rights, which has unsettled old Hindu ideas and arrangements disintegrating the family which is the bedrock of the Indo-Aryan juridical system. In all domestic relations, between husband and wife, between father and son, between *acharyya* and *sishya*, the concept of duty superseded the concept of family contract, right or any other prime notion; the ultimate object of the duties making up the said status was the spiritual advancement of the individual and the transmission to posterity of the fairer fruits of family culture.

Hindu Marriage Law.—The law of marriage in Hindu Law is similarly different from that in any other jurisprudence in its peculiar spiritual conception and the rights and duties accruing therefrom. It is not the Roman or Semitic concept of contract, or an attempt to realise individual convenience out of the relations or restrictions created, but an effort to regulate morbid emotion in the interests of stable family life and the perpetuation of a faith and a tradition. It was St. Paul who tried to impress the Eastern concept of marriage as a sacrament on the Western concept of the contractual relation, but ultimately the Roman ideal prevailed and the ecclesiastical one was inhibited by the development of Roman juridical concepts. The peculiarities of Hindu marriages which strike Western observers as oppressive and unjust, viz., early marriage, want of consent or ante-nuptial love, absence of legal attestation, prohibition of widow marriage, could be appreciated only in the light of the above principle. In the highest and most prevailing form of Hindu marriage the

ends of spiritual life are emphasised in the ceremony of marriage, which is transfigured into a religious gift and acceptance; economic or sensuous motives or contractual relationships are eliminated as far as possible in the folk customs, rituals, and songs of marriage, while the rich symbolism in the sacrifice and the seven-step unison round the fire amply testifies to the character of marriage as sacred and inviolable.

Hindu Legal Administration.—We notice the same principles at work in the sphere of social organisation and relationship. They have determined the juridical concepts and institutions. The deeply socialised instincts of a settled agricultural population have created communal notions in property. The Hindu concept of ownership is different from that of the Roman Law as a bundle of indefinite private rights. It implies multifarious duties, including the three fundamental *rinas* or debts the discharge of which is the basic factor in Hindu private law. These obligations include duties to culture, to ancestors and elders, to the family and to the gods. Administrative law hence emphasised the joint and several liability of every member of the village community, and denied the right of unconditional transfer to the individuals or units, the community having the right of determining the method of sale or transfer. A gens or community, guild or corporation had its *dharma* or code of duties checked by the larger and higher community and ultimately by the State (*rajdharma*). In the administration of justice as well we have a hierarchy of courts beginning from the smallest communal or territorial unit to the king, each independent in its own jurisdiction (*swadharma*) and controlling and supervising the performance of duties of the next lower in grade. The popular courts, according to the *Smritis* were constituted by the *kula*, the *sreni*, the *gana*, or the *puga*. The gradation of the courts is thus indicated by Narada: "Family meetings (*kula*), corporations (*sreni*), village assemblies (*gana*), one appointed by the king, and the king himself, are invested with the power to decide law-suits; and of these each succeeding is superior to the one preceding it

in order." All cases, civil and criminal, will be decided in popular courts, but causes concerning robbery and violence (*sahasa*) must go to the king. Even now the *kula* and *jati* assemblies still survive, and decide a very large number of village or caste disputes, though the government does not recognise them. The *sreni* has been defined by the *Mitakshara* as the court constituted by traders or artisans, including men of different castes but pursuing similar means of livelihood, and the *puga* as the court constituted by men of different castes and occupations but inhabiting the same tract, village, town, or any larger division. The *puga* was the largest division, sometimes forming even parts of two different kingdoms; it was the highest court because it was the largest assembly. It was ruled that if an appeal was lost the appellant must pay double what he was fined by the lower court.[1] The ultimate council of justice, with the king as president, had also its own marked characteristic, viz., that every member must be free from avarice, anger, malice or pride, the moral equipment being more prized than the intellectual. While in the Indian system the king did not encroach upon the freedom and initiative of the lower and more direct courts or interfere with the various ethnic customaries, so far as criminal law was concerned, the Hindu jurisprudence was in consonance with the old Roman jurisprudence which made every criminal prosecution an act of the State. This exception was especially made in case of an insult or outrage of woman, which was classified under *streesangraha*, and the king was enjoined personally to look into this very important social matter. The king, as the special guardian of the community, had also to look to minors, women whose husbands were abroad for study or otherwise, escheat, treasure-trove, etc. Subservience to the special codes of the village community, guild or corporation is also enjoined, and the ultimate object of spiritual benefit is considered superior to the other sanctions of law, viz., dread of punishment or the utility or balance of total advantage or disadvantage.

[1] Mookerji: *Local Government in Ancient India.*

Hindu Legal Philosophy.—The Hindu philosophy of law was absolute and universal, though there was recognised the relativity of codes applicable to particular communities, guilds, corporations, or even strata of culture. The underlying principle dominating and guiding them was based on universal and immutable *dharma*; and if, in the administration of law, local and communal conditions were taken into consideration, they were left more or less to the discretion of the king or State or the local or communal bodies themselves; and they corresponded with the Hindu scheme of social arrangement and values. Awards or punishments, restrictions of the transfer of lands or the enjoyment of goods, were regulated by considerations regarding the ethnic stages or levels of culture, which determined the corresponding motives of obedience to law. Of these dread of punishment was *tamasik*, and utility was *rajasik*; and these were considered inferior to the *sattik* motive, viz., the realisation of the *apurva*, something which is above reason, whose evidence was only *sabda* or faith, and which was the supreme criterion and ideal for law, morality, all ethical, legal and religious precepts, even as the ideal of *jus naturalæ* or the law of nature was the guiding spirit of Roman jurists and authors like Locke, Rousseau, Montesquieu, and others. Neither the satisfaction of impulse and instinct nor the guidance of reason, co-ordinating experience and utility is the basis of *dharma* but *apurva*, the intuitive realisation of freedom within an ideal universal order which evolves the individual's own restrictions that furnish the foundations of law and morality: of course, all conduct satisfies reason or the self-preservative instinct as subsidiary products, though *apurva* must be called in as the regulative factor in all cases of conflict.

Hindu and other Legal Systems.—The Greek started from the State, his ideal was the organisation of the *polis*; family and law thus remained subordinated. The Roman started from the family, on which basis he erected the grand fabrics of State and law, but in his exaggerated emphasis of private rights, especially in reference to the law of wills and legacies, and of legal claims in terms of the

pecunium, has given a somewhat wrong direction to legal evolution. The Hindu started, as did the Roman, from the family, but reached the diverse intermediate associations between the individual and the State, on which basis he erected a code of communal duties regulating the social functioning of each group and of the individual in his road to freedom; in every economic and legal relation he emphasised communal duties without neglecting private rights, and spiritual benefit without superseding material possessions, and interpreted all legal claims in terms of a communalistic justice and an abstract truth. The Hindu law agrees with the Germanic common law in its love of certainty and definiteness and respect for the precise verbal expression given to rules; it shares with the English common law the characteristic importance of the use of the jury and the large place assigned to oral evidence.[1] But, unlike the English and the Muhammadan law, it has emphasised principles more than precedents. Thus, while the law of the English is pervaded by notions springing from the political system of English feudalism and the constitution of England, and the Muhammadan law by the theological ideas of the Koran, the traditions, the prophets, etc., Hindu law is a system that was dominated by notions derived from psychology and philosophy, which under freer conditions would have adjusted themselves to changing needs and ideals. In its procedure it has not refined the system of pleading to a perhaps excessive point of technicality and sophistry; it has duly recognised the initiative and creativeness of the local and communal courts and the various *dharmas*, codes, and customaries; it has ordered them all within the limits of an individualistic-cum-communal justice; finally it has tried to give expression to an abstract law which transcends kings, judges, codes, and even the community itself, and which the individual alone can realise in the pursuit of freedom, functional groups and associations being merely instruments to help the individual in the realisation of this end.

Development within the State.—Each of the two

[1] Cf. *Formative Influences in Legal Development.*

distinctive principles of social constitution creates for itself the internal solidarity that makes possible its particular conception of the State and the external framework, distinctive of the type, which furnishes the foundation for its characteristic political organisation. Both the ideal of State functions and the political structure thus come to be differentiated. The lines of further political evolution or expansion are also different. In the monistic State, the chief followers or companions of the leader or king at first form the bulwark for royal power, but gradually, as the theory that the king must consult his council develops, they lay the foundations for constitutional government and popular liberty. The three estates of the realm which sat separately for the voting of supplies in medieval Europe paved the way for the parliamentary organisation. Thus we see that the undivided will of the community was at first implicitly expressed through a single individual or political class, and later explicitly through the three estates of the realm or the organs of representative government, remaining always the absolute and incontestable source of sovereignty. The constitutional monarch becomes the symbolic figure embodying this will, and its force and majesty, and the government is best represented as the centre of force. The pluralistic type of social organisation which integrates through the successive stages of gens, phratry, tribe and confederation of tribes, gradually becomes purely political as it develops forms of political control corresponding to the emphasis given to particular social functions or classes. Political organisation is here superimposed upon the different groups, not for the purpose of ousting or supplanting them or as forming a co-ordinate or rival organisation, but for securing certain general conditions enabling the groups to pursue their own interests and functions without let or hindrance and without mutual strife or conflict. From the outset there is therefore a differentiation of the particular spheres of the group from one another and from the State, each being established by custom in its own particulate jurisdiction. Political development in this case depends on the degree of cohesive-

ness in the internal bonds that are maintained by custom or voluntary co-operation instead of the externally imposed sovereign authority; and the actual political type is constituted not only by this relation between the constituent bodies but also by the principle of composition of the bodies themselves. In some political communities, kinship groups in family and clan formed the basis of the primary assemblies. In China, for instance, the expansion of the family was helped by friction, but consolidation was checked by clan strife which is inevitable in a society so composed. In Japan the exercise of hereditary and family rights and privileges and the development of the military and feudal nobility were closely associated with numerous internal struggles and bloody dissensions. The establishment of the shogunate, which had its beginnings in the time of the Fujiwara, and of the great military families of the *daimio* and their vassals, the *samurai*, weakened the authority of the imperial family and disintegrated the body-politic. Until the revolution that removed all the *daimios* and *samurai* from their former position, the empire could not understand its strength, far less try it against foreign powers. Or again, as in India, in addition to such kinship groups there may develop neighbourhood groups, as in village communities, where the theory of adoption intervenes to admit new settlers or strangers, or it may be functional or interest groups in guilds and castes, giving rise to various forms of local and communal government. Even central governments were instituted where the sovereign power is wielded by the family (*kulasangha*), as mentioned by Kautilya. Strong, politically organised republican communities established themselves in India from time to time; for instance, the Yaudheyas, with an elected consul, occupying a territory in the Panjab greater than that of Greece, the Malloi or the Arjunayanas, who all fought Alexander of Macedon. The Vrijjis or Samvrijjis (*i.e.*, the United Vrijjis) were a confederation of eight clans, of whom the most important were the Lichchhavis with their capital at Vaisali, and the Videhas with their chief town, Mithila. The Vrijjis were all republicans, and the Lichchhavis, who elected not a single

chief, corresponding to the Greek archon or the Roman consul as the other clans, the Sakyas or the Mallas, did, but a triumvirate to conduct their administration. The Malavas and the Kshudrakas were also important republican confederations.[1] Similar developments were often seen in later Indian history among the Rajputs, Mahrattas, or Sikhs in the North or in the Chola and Pandya country or Malabar in the South, and they resembled the efforts of the Greek city states to constitute larger confederations to stem the tide of Roman imperialism. Local or non-local, territorial or gentilic, communal or functional principles were blended together in the composition of such leagues or bands of states. In the East the development of the pluralistic State on these foundations has been checked by foreign conquest and aggression. But, just as the absolute monarchy has given place to constitutional monarchy, or to other forms of representative government in the monistic line of political development, in the same way the conglomerations of particularist groups with more or less imperfect cohesion may develop under modern conditions into states of federal type or composition which, without usurping the functions of local bodies and associations and without depriving them of their law-making initiative, will exercise a sort of hegemony or headship based on a unanimity of political will and purpose to enable the local bodies themselves to fulfil their own ends and to harmonise them with the larger ends of the body-politic as a whole. Such are the recent political experiments of guild socialism, syndicalism and of the soviet, which have arisen, however, out of the inevitable dissolution of monistic states into their original *débris*. If in monistic states the government is best represented as a centre of force, in pluralistic states of this type the government may be described as the managing director of a partnership concern.

Class-war in the Monistic State.—In the monistic State the political process may be resolved into the ceaseless struggle of social classes, each of which wants to seize the central political authority, and thus upsets the existing

[1] N. Law: *Aspects of Ancient Indian Polity.*

equilibrium. War and conquest give rise, as we have seen, to disabilities along several lines, among which are: (1) the introduction of slavery; (2) the introduction of a social class on an ethnic basis; (3) the social subordination of women to men; (4) the supremacy of the warrior class defended by a certain socio-ethical code (*bushido*, chivalry, *kshattradharma*, etc.), and (5) the creation of a landed class, or territorial aristocracy, by the expropriation of the conquered.[1] Political development in the monistic State is a history of the reorganisation of central government so as to secure to each class in turn its most cherished rights. The memorable struggle of the *plebs* has its counterpart in English-American history. Army, Church or nobility, the middle class or mercantile community and labour have each in turn tried to dominate, with consequent revolutions and struggles. Such is the story of the Magna Charta, of the several bills of rights of the seventeenth century, of the bills of rights of America, of the Declaration of Rights in France, and of the later written constitutions, followed in their wake by labour and syndicalist upheavals. Of the extension of this class-war in the international sphere, tariffs and the regulation of monopolies, as well as international labour laws, are familiar examples. Modern political parties have superseded the old factions, and through them rights are won by constitutional struggle which tends to supersede revolution.

Class Equilibrium in the Pluralistic State.—If in the monistic state-type rights are won by the people from their governments through revolution and struggle and are safeguarded by constant vigilance, rights in the pluralistic polity are guaranteed to local and communal groups. Custom and tradition give them freedom and authority within the legitimate spheres of their particulate jurisdictions, though there is, as we shall see, provision for extensions or curtailment of those spheres of jurisdiction. The political process is thus not one unending series of political struggles and revolutions for wresting political authority, though by this means social progress is apt

[1] Cf. Ward: *Pure Sociology*, p. 205.

to be checked. Political authority is not centralised, concentrated in any dominant part of the community; hence no class seeks domination over the governmental organisation by political struggle. In India the Brahmans were law-givers, but they did not govern the country. The work of administration was left to another class. China was governed by men of learning and letters, but the emperor was invested with the absolute authority of a father, and with the duties of a father. The laws of guilds, of village communities, of families and clans, the intellectuals neither of India nor of China could override. Political equilibrium was maintained by each social class, ethnic group or functional unit, conforming to its particular code of duties and customaries. Thus, China and India, whether monarchical or aristocratic, feudal or theocratic, left the essential work of government to many intermediate associations between the individual and the State; and accordingly dynastic changes or revolutions in the imperial cities did not much affect the even tenor of the social democracies of the East.

Internal State Character expressed in External Relations.—The ideal of governmental functions and the political organisation, characteristic of each state-type, govern in an essential manner its inter-state relations as well as its subsequent career of expansion and colonisation. The class-conflict in internal polity in the monistic state-type is reflected in the colonial jealousy and racial strife in the international arena; while the concentration of authority in a dominant individual or social class finds its counterpart in the political subjection of the colonies and dependencies. The colonies established by the pluralistic state-type, on the other hand, often take the form of settlements which maintain a loose political connection with the home states, but more frequently become independent political units. In the period of political consolidation, the pluralistic polity in the course of the expansion and migration of races and peoples gradually comprehends new ethnic stocks or the aborigines in a common political system, guaranteeing them their special rights and privileges. Not assimilative absorption as in the monistic state-type, but

comprehension becomes the dominant feature in the relations between the social orders of the East.

Progress, Monistic and Pluralistic.—Social change is brought about in the monistic polity by a change in the distribution of power. In the East new reactions and adaptations to the new conditions of the environment are brought about not by the overriding authority of the dominant class of the day in possession of the State, but by the initiative of the primary local bodies acting through unanimity and consensus. It is thus that the direct method of unanimity or consensus takes the place of the indirect mode of control by class majority or majority rule. In the Indian pluralistic polity the rights and liberties guaranteed to rival kings by the Chakravartti emperor who exercised hegemony over them had their counterpart in the social opportunities given to the Hinduised or semi-Hinduised aborigines, who were gradually and peacefully settled and oriented within the Brahmanical social system. Hindu colonies in Java and Cambodia were more or less independent kingdoms, even as subjugated kingdoms within India enjoyed autonomy within their spheres of jurisdiction. Similarly, China shows neither the factional strife that characterised Greece and Rome, nor the racial ambition and conflict that characterise modern European states. And, indeed, modern states are to-day recognising the imperative need, not merely of decentralising the State or sharing the one sovereignty within the State, but also of developing into federations. Thus we find a twofold movement in modern state and inter-state constructions; a movement towards decentralisation, which will bring back local initiative and creativeness to the smaller units of the body-politic which have been superseded by the centralising authority of the appropriative State; and, secondly, an attempt towards a federacy of the parts of an empire, giving to each the political supremacy within its own limits. A loosely confederated empire, as well as a more widely diffused internal authority of the State, will represent the line of political advance of the future.

Political Regimentation, Criterion of the Monistic

Polity.—We thus come to the law of correspondence applicable to political societies. The emphasis of the authority of a particular head or group (*e.g.*, the chieftain and his companions) and of its vital function (*e.g.*, leadership in defence or aggression), which is itself an outcome of the regional conditions of a society and of its neighbours, gives rise to a corresponding scheme of social valuation and regimentation. The community is organised into unit orders so as to form a hierarchy of groups; such groups perform special functions, *i.e.*, certain offices are performed by the clan, others by the tribe, and still others by the confederacy; but the primitive regimentation which develops, and is continued as an outcome of the need of defence and conquest, implies that the confederate councils tend to oust the tribal councils, the tribal councils the clan councils, and the clan councils the families. Thus the chief of the confederacy or the principal war leaders can by their personal fiats abrogate the authority of the hierarchy of bodies thus constituted. In the same manner the social classification in a State established through "blood and iron" is characterised by ethnic disabilities and great social and political inequalities and the dominance of a permanent military class. At first, however, the governmental organisation may be simple, and the functions of the tribal chieftain or war-lord few and restricted in their operation. But the sharp differentiation between sovereign and subject, governors and governed, the military class and the common people, which is the ear-mark of the monistic state-type, arises out of the needs of regimentation and disciplined organisation which again require greater cohesion and greater activity of the State. This ultimately develops into the central ratifying will or fiat of the sovereign, unlimited in scope and complex in operation in the great states of to-day. It is this distinctive feature in the governmental organisation or internal polity of the State which is the test of monistic statehood. As in the case of territory and population, not quantity and extent but political regimentation is the everlasting unchangeable criterion of the monistic polity.

Feudalism in Monistic States.—In the turbulent days of invasion, protection of some sort for person and property is most needed by the community. The people, insecure in isolated villages, and unable to defend themselves, will naturally place themselves at the disposal of some strong neighbour, holding their land as his serfs or vassals. Such is the origin of that type of social and political organisation, called feudalism, tribal or primitive, territorial or developed, which has appeared in monistic states under the conditions of the times and with these institutions to serve as bases.[1]

It is, however, a remarkable correspondence that feudality in the monistic polity developed a harsh theory of the servile relation which has no counterpart in the agrarian organisation in the pluralistic polity when what may be called feudalism has been superimposed upon it by the accidents of history or by the conditions of economic evolution. The proprietor of the manor was usually a knight, a count or duke, a bishop or abbot, or even a king; and proprietors of higher station usually possessed many manors, often widely scattered. A manor was ordinarily part of a fief, although a small fief might consist of a single manor. From the proprietors upwards and outwards relations were feudal; *i.e.*, they involved obligations and rights pertaining to lords and vassals. The obligations of the vassals and serfs to their lords were many, and in most instances they were highly burdensome. Both in England and France commutation of labour-dues for money payments contributed to the peasant's liberation, and also many serfs gained freedom by flight. Among the seigniorial rights in France were included the *taille*, the *corvée*, the *bonalite*, *gite* (or entertainment), and even limited military service. Such rights existed in North-East France until the Revolution of 1789. In Bavaria there was the marriage due, which continued till the fifteenth and sixteenth centuries. Throughout Europe, along with the gradual emancipation from vexatious interferences promoted by economic and social evolution, there was much emancipation directly promoted by the State; and in France the Revolution

[1] Cf. Adams: *Civilization during the Middle Ages*, pp. 216–24.

created her petty proprietorships. But the largest portion of Europe yet continues to be a region of great estates, cultivated by hired labourers, and interspersed with only an occasional small-holding. Such are the vestigial remains of the medieval manor, which is related, according to one school, to the Roman *fundus*, or great estate—and yet more to the *saltus*, or great estate with a special jurisdictional character of the fifth-century Italy, Spain, and Gaul. An opposing school believes that the manor is Teutonic, and has arisen spontaneously in the various countries occupied by the Germanic peoples. In either case the origins of the manor are connected with social and economic conditions arising out of war and conquest.

In England and in France the old Teutonic village community gave place to the medieval manor as a result of Norman conquest or of Frankish or Norse occupation, but this after a long and bitter contest. The school, which traces law and institutions as well as fealty in agrarian possessions to the Roman *comites*, loses sight of the old and essential bedrock of the Teutonic communalism in these countries. Communal rights and institutions arise, as it were, by themselves, and some fundamental features are present everywhere—the extensive half-pastoral character of the agricultural settlement, the barbarian habits of the labouring population, the social claims inherited from a tribal system based on personal freedom, the necessity for providing rural self-government for the co-operating and conflicting elements tied up in the small knot of the village settlement.[1] Thus, under cover of the extensive lordships of the emperor, of senatorial magnates, and of central cities, a crop of communal usages, as distinct from the clan or the private estate, come up. The organisation of the land-folk in Switzerland and Britain was both agnatic and territorial; and its strength and vitality must have been such that the typical Roman arrangement of the city, with its resident burgesses administering the country around them, was not and could not be transplanted by a stroke of the pen. The case was different in Gaul. To quote Professor Mommsen:

[1] See Vinogradoff: *Growth of the Manor; Villeinage in England.*

"Such as Cæsar found the Gallic communities, with the mass of the people held in entire political as well as economic dependence, they substantially remained under Roman rule; exactly as in pre-Roman times the great nobles with their trains of dependents and bondmen to be numbered by thousands, played the part of masters each in his own home." In certain other centres, as in Italy and Spain, the Roman origin of feudality cannot be denied, and it is also true that, when the rights of the Teutonic communes were superseded, the new forms of land-tenure were made to conform to the juristic usage and procedure of the old Roman institution. But to seek an unbroken continuity along Roman lines to medieval institutions by starting from the idea of a complete and unique organisation of the Roman villa, which is made to repeat itself through the ages like the hexagonal cells of the beehive, is to ignore the diversity of social and ethnic origins in that fermenting vat of the medieval Gothic *milieu*.

Feudalism in Conflict with Communalism.—We have already seen that in Western Europe the superimposition of Roman juristic usage and procedure and of Norman or Frankish feudality disintegrated the natural and long-established communalism. Even to-day in England and Germany, at any rate, communal ownership is not forgotten. Among the Slavs, the whole living organism of society, political and economical, was built out of the village communal system. The establishment of serfdom had in Russia much the same effect on the Russian freeholders, *i.e.*, the joint family and the village community, as the establishment of feudalism, assisted by the Norman Conquest, had in a less pronounced degree on the English freeholders. It made the lord the nominal owner of the peasant's land and entitled to services from the peasant. The difference in the subsequent development of the land systems of the two countries seems to arise from the fact that the King of England, through jealousy of the great barons, took care, by means of his judges, to protect the customary rights of both the freeman and the villein; both of whom, so long as they performed their services, were

entitled to hold the enclosed land, and, what was equally important, to enjoy the use of the open land or waste. This right to use the waste was interfered with only when the great landowners became dominant in England. The Enclosure Acts had much the same effect in England as the emancipation of the serfs had in Russia ; they made the lord the actual owner of the lands hitherto enjoyed in common by his tenants. One effect of the Enclosure Acts was to kill out the small freeholders, and the appropriation of the pasture lands in Russia by the lords was a bitter grievance of the Russian peasant, and did much to render his emancipation a nullity. Thus, the recent spoliation of the property of the lords is, according to the view of the peasants, a resumption by the peasant of their own stolen property. In Russia, the national development of communalism was arrested by her war of defence against Asia ; and thus the communal organisation of the Slavonic peoples (which expresses itself in communal ownership not merely in Little or Great Russia, but also in Bulgaria, Serbia, Rumania, and the Slavonic parts of Austria-Hungary) was superimposed upon by territorial and feudal lordships. Everywhere the whole society undergoes a process of regimentation as the result of a war either of defence or aggression. The soldier ousts the citizen. All power is centralised in the hands of the chief of the soldiers, the war-lord or his prototype, the Imperator of Rome, the count or the baron of the Middle Ages, or the Tsar of Russia.

Feudalism in the Pluralistic State.—In the pluralistic polity, as in India, the individual cultivators were peasant-proprietors, and the maximum demand of the State from each village in the shape of land revenue was in theory limited. Even when feudal lords, farmers of revenue, agents or officials of the State have been superimposed upon the village community, and leases were granted to village communities in the names of the headmen, they could never reduce the individual cultivators to a position of serfdom because the latter and not landlords (counts, dukes, etc.) were in theory proprietors of the soil. The crop share belonged to the king ; the soil was the pro-

perty of the peasant, whose right was ineradicable as the *durva* grass. There was developed, of course, a hierarchy of economic classes. The king or his agents received the revenue share, which is regarded as their pay for protecting the village communities. Thus, the land-tax was a sort of insurance premium against insecurity and depredation. It was not the State which ratified or sanctioned the rights and possessions of the cultivators; on the other hand, it was the village communities themselves which defined and controlled the pre-existing rights of individual cultivators by periodic distribution and assessment.[1] The headmen, who all along took the lead in bearing the hardships of the first colonisation, and who had been always the first persons made responsible for anything required by the State, were allowed to appropriate certain perquisites which had a tendency to develop. The original settlers who formed the first body of the colonists and lived in the village ever since its foundation were admitted to have rights superior to those of later arrivals ("strangers"). In some of the villages, as cultivation developed and interests began to conflict with one another, other distinctions came gradually to be drawn. The cultivators, who belonged to the labouring classes accustomed to perform traditional services to the peasant classes, were considered to occupy a subordinate position. Such a stratification is far different from the system of overlordships brought about by feudalism of the monistic type. The inevitable reaction of the theory of crown ownership of land and of feudalism (both of which are correlatively associated with the monistic state-type) on the agrarian system, by which the landlords, with a status similar to that of their ancestors in the earlier centuries, consolidated the servile holdings in larger farms, and turned them over as leaseholds to enterprising peasants who had accumulated the capital necessary for the operation of such farms, while the mass of the peasantry became hired labourers, has not been seen in Eastern countries even under the feudal regime. Japan passed through a feudal form of polity.

[1] For a full discussion of ideas of property in land in India, see Baden-Powell: *The Indian Village Community*.

In the large measure of independence of the feudal lords, who based their authority on the family system, and in the comparative importance of local laws and customaries, Japanese feudalism was peculiar. In India feudalism was developed among the Rajputs; among the Mahrattas and the Sikhs the institution was developing, but could not crystallise itself. In India it is not Sikh *kardars*, or Mahratta *deshpandes*, or Muhammadan *jagirdars*, farmers of the revenue, who could abrogate the rights of the individual cultivators. These were protected by the village communities. The individual, again, always respected the corporate rights of the village community and never knew individual property as such. The social claims inherited from a communal system based on co-operation among free groups of settlers prevented the development of exploitative interests. It is, however, too true that there grew up a class of *servi* no better than the serfs or villeins of medieval Europe in connection with the larger landed states, as well as powerful and long-settled village communities, as a result of ethnic displacements and occupations, but this is a sporadic excrescence on the body-economic of the Indian polity. The essentials of the Indian tenure were in no respect tampered with by these outgrowths, which were scattered and foreign to the system. It was, however, the English theory of State landlordism and its outcome, the English revenue settlement, which repudiated the rights of the village community and introduced property in severalty and absolute ownership. It encroached upon the inalienable rights of the Indian peasant to the fruits of the soil, and finally it created an extending circle of middlemen, intermediaries and interlopers, who fed upon the profits of agriculture. Lord Cornwallis was guided by the instance of the English landed governing class, which, however, is a development of the manorial system alien to the traditions of Indian agrarian organisation. He and his investigators knew next to nothing of the land systems and village customs with which they were dealing, and the people who had been tax-farmers ultimately became landowners, and the cultivators who had been

in reality landowners paying revenues to the State became landlord tenants. On the other hand, the Temporary Settlement proceeded upon the wrong assumption that the land is State property for which the cultivators pay rent; it usurped the rights of the village communities, and by individual assessment, over-assessment and rigidity of payment impoverished the proprietors, disintegrated the traditional village system, and introduced a widespread hierarchy of intermediaries. The whole controversy among the English Settlement Officers during the early years of the nineteenth century as to the seat of the right of ownership was vitiated by the fact that they looked to English experience to throw light on their difficulties; there at that time the individual owner had his rights definitely established, and the landed aristocracy held a dominant political position. Thus the English officers in India presumed that the land belonged either to the cultivators or to the landlords. The monistic State, parasitical in its functions, usurped in the West the rights and liberties of intermediate associations. Unregulated individualism and stateism go together. In agrarian organisation it has introduced helpless and subservient tenants and owners of rents who tend to become possessors of rack rents. State-landlordism has accomplished precisely the same results in India, disintegrating the intermediate organisation, the village system, which had hitherto been the bulwark of the Indian peasant.

Feudalism based on Landownership.—The political system in feudalism of the monistic type may be represented by a complicated system of over-lordships, at whose top stands the king or emperor, who gives away lands to his chosen companions. Such lands they can hold as long as they help him in war and peace. Political authority is based on personal allegiance, founded upon landownership, which filters from the higher to the lower grade; and the conquered population has neither unity nor liberty. Such, in general, is the nature of the origin of the monistic type of State by conquest and absorption. Such has been the picture of Europe at the downfall of the Roman Empire

out of the *débris* of which modern states, laws, and institutions have sprung.

Feudalism in England.—In English medieval society the balance of forces appeared most clearly in the relations of lord and vassal. Each had unquestionable rights, and these rights were apt to come into conflict. The adjustment of conflicting claims gave constant occupation to the lawyers and the judges. Thus, as Bryce remarks, " English freedom in the particular legal form it took, sprang out of feudal conditions. In reality, it was older than feudality, and had lost some of its simple Teutonic breadth when overgrown by feudal notions. But the structure of Parliament and the right of Parliament alone to impose taxes sprang out of the relation of the king (as feudal lord) to his tenants, which is in certain sense a private relation as well as a political one. It is hardly too much to say that what we call public or constitutional law of England is a part of, as it has certainly grown out of, the private law." The English Parliament was originally meant not to assert the public will but to gauge the measure of public acquiescence in an essentially unpopular regime. It was an experiment in imperial finance, an item in a programme of centralisation. Formerly there were the popular juridical bodies, the shire courts. The people, content with their shire communities, were reluctant to pay the viaticum of a delegate whose principal function when he got to Westminster was to inform the king in how great a sum they could conveniently be mulcted. The shire knights, agents of dynamic and instant constituencies, came gradually to hold in play and in check alike the crown and the princes. But the shire courts perished. The Commons House was packed by the nobility. Thus the first period of parliamentary activity came to an end. There was a second—longer, more complete. In process of time the enclosure of the common lands, the confiscation of ecclesiastical lands, and the aggregation of capital of various sorts enabled a certain small and well-defined class to realise itself in the Commons House, and, by taking advantage of dynastic embarrassments, to indicate itself politically by establishing the political sovereignty of

that House, which it packed and directed. The Commons represented the "class" which led the "mass." Even to-day the re-creation of the natural constituencies, which formerly kept alive civic initiative and were finally destroyed in 1885, has been considered by some the only mode of arousing local creativeness.[1]

Internal Order in the Pluralistic State.—The social classification in a pluralistic State, which has grown out of a process of gradual, peaceful comprehension and not out of conflict and struggle, corresponds to an equal emphasis of all the vital functions or social grades, when neither a permanent military aristocratic class is dominant, nor the supreme social value set upon leadership in war, or upon the power of organisation of the lord which welds the peasantry into a semi-servile community for the purposes of the cultivation of the domain and of the imposition of burdens. Regimentation does not continue beyond a certain stage, and the gradation of authority is not marked. Differentiated social classes, ethnic groups, gentes, phratries, as well as territorial groups like village communities, and functional groups like guilds and castes, have each their codes of law and customaries, emphasising economic, ethical, as well as religious values, which the political authority of the king, or magnates, cannot override. They are prior to the State in origin and purpose. They exercise, therefore, a quasi-independent jurisdiction within their own spheres, in which they are securely established, not by the fiat of the sovereign but by tradition and the communal ethos. The tie between the inhabitants of villages is other than the will of the lord carried out under the command of his stewards. Village associations, courts, and assemblies, with semi-independent jurisdiction, easily develop in settlements which involve a good deal of intermixture of rights, and the districts are organised not on the principle of the king's, the territorial lord's, or the steward's absolute rule, but on that of tributary self-government, which secures for each class its claims and status. The social organisation and the agrarian distribution are entirely different from those of

[1] Mann and Sievers: *The Real Democracy.*

the feudal arrangement or from any system based on the superimposition of princes and chiefs or a free class on a semi-subject population. They involve a system of communalism which entails an intricate and equitable adjustment of claims and the necessity of constant co-operation in neighbourhood groups. A system of agricultural practices grows up which gives the measure of rights in dwelling and close, in arable and meadow, in pasture, wood, and water, and the basis for the co-operation of householders in rural husbandry. There is a community of interests and rights among all the household shares of the village community, and its legal consequences are very important. Claims by the government and duties as regards local public works and municipal affairs are all apportioned according to it. Principles of communal action and communal responsibility lead to the harmonisation of conflicting claims and interests in neighbourhood associations right at the bottom of the political machinery, and to the subsequent formation of a common law which is decisive in submitting society to a system of personal duties and relations. Such a state-type does not suffer from class struggles and civil wars. Authority in the internal polity of the State is too evenly balanced to permit the political preponderance of any social class. Voluntary co-operation of local and communal groups increases the strength of all, and a confederation, political, economic, or religious in its type, is the inevitable step in order to resist a larger and more centrally organised enemy. But the correspondence does not rest here. Economic and social equality in a population equitably distributed in agriculture and industry, an equal emphasis of the diverse kinds of social and ethical values, a concord between classes and ethnic groups and between race and race all go together in the same political system; and the type, monistic or pluralistic, is apt to be reproduced at the outset in interstate relations, the former correlated with the subjection and exploitation of colonies and the conflict of races and the latter with a loose connection of the daughter-states to the colonising race.

Political Differentiation and Integration.—The two

types of polity have each evolved an independent and consistent political system. In the monistic state-type a constitution expressing the undivided will of the community is created, and then a magistracy is established in connection with the constitution, which represents the original, unlimited, and central ratifying will or fiat imposed upon all persons, associations, and things within its jurisdiction. In the pluralistic state-type the constitution differentiates the particular spheres of the diverse organs of the body-politic from one another as well as from the State, and creates a divided, multicellular political control, maintained by custom or voluntary co-operation. But the clothing of the State with the external forms of organisation is an episode, a transitional stage in the process. Much that remained vague and undefined is now given definite mould, and shape. Through crude and imperfect forms of manifestation the gradual realisation in legal and political institutions of the political mind of the race proceeds. The nuclei being constituted, there is a gradual development and expansion of the germs of the internal polity as the mass of the population and not merely the active mind gradually becomes self-conscious. The social mind gives its impress on the particular type of polity and builds it up accordingly. As the nuclei exhibit a marked difference in final constituent political principle, that development and expansion proceed among divergent directions, as we have seen, comprehending even different ideals and norms of inter-state activity and relationship, and, with advancing civilisation, becoming more complex, more indispensable to the needs of humanity. Each political system has developed its own norms and categories. In the monistic polity, the State has been superimposed upon the individual, who is broken up by a process of an undue differentiation and specialisation into mutually exclusive fragments. The external authority of the sovereign is invoked to bring harmony among such repellent fragments of the individual as the majority man, the minority man, the party man, the man with the franchise, the lord, the commoner, the bourgeois, the proletariat, etc. With this comes in striking

contrast the integrative type of polity which blends in different degrees these specific functions, and realises their political harmony and interdependence in such forms as the neighbourhood man, the man of the five, ten, or hundred assemblies, the *panchayat*, the headman, etc., which in the East have helped to preserve the solidarity of political interests. It is significant that now in the West these integrating forms are reappearing after the stress and conflict of the labour movement in guild socialism and syndicalism, in the neighbourhood group and in the soviet, which all tend to check the separation of political from social relationships and obligations, and to reunite the many fragmentary individualities in a complete creative personality without which politics is at best a hard bargaining of sectional interests. Rousseau's postulate that the individual is at once the subject and the sovereign expresses a profound truth, but is fundamentally at variance with the general trend of political evolution in the West, which tends to rob the individual of his creativeness and split him into numerous fragmentary subjects, making him more and more subservient to a process of regimentation. From another viewpoint, Rousseau becomes the champion of State-socialism, and as a believer in the Hellenic ideal of the city state opposed to the ideals of anarchism or syndicalism. In its effects on the development of political structure and function, the differentiating type of political arrangement leads to a separation of executive, legislative, and judicial powers. This may have been essential to secure liberties in a polity full of mutually repellent interests, where the magistracy becomes all-important as embodying the central, ratifying will of the community and all-embracing in its powers and jurisdiction, and where, therefore, the imperative need of mitigating the absolutism of the State is keenly felt. Later constitutional development in the monistic type thus resolves itself into, first, the balance of power among the different classes constituting the body-politic; secondly, the constitution and delimitation of separate spheres of executive, legislative, and judicial authority within the State, and the determination of their relations

to the State. The thousand and one varieties of constitution in modern states may all be explained as variations of the different possible combinations of these primary factors. The union of these separate powers and functions by twos or threes and different measures of checks and counterchecks devised by an intricate political machinery and procedure form the woof and the warp of the political pattern in the seemingly multifarious assortment of state-types and forms.

Progress in the Monistic Constitution.—In a similar way constitutional progress resolves itself into the struggle for authority of all the different classes and interests in society, among whom the authority of the State is distributed. The functions of the State, including the bureaucracy which represents the absolute authority of that rigidly centralised organism, are regulated by the balance of power among the classes. The antagonisms of capitalist society are reflected in the relation between the political parties. The landed, the capitalist and the working classes endeavour to form various alliances, and adopt various tactical methods to control the machinery of government. Since the social and economic relations in the capitalist society are constantly changing, social and industrial progress shows the imperative need of readjustment in the composition of the State so that there may be no lasting monopoly by the possessing classes.[1] By the side of "direct action" and strikes we thus have the peaceful methods of class struggle, parliamentarism, demonstrations, the press, and similar means of exerting political pressure, the importance of which depends upon the effectiveness of the democratic institutions and instruments, the degree of education of the people and the strength of public opinion. Everywhere in the West the proletariat is now coming to the front, though this is not attended by so striking a victory as attended the middle classes in their revolutionary period, nor will it be exposed to a violent set-back; moreover, its usual methods of political struggle are nowhere sufficient to cope with the economic and political strength of capitalism.

[1] Cf. Kautsky: *The Dictatorship of the Proletariat.*

In the long developmental process, the authority of the absolute State which checks the aspiring class and its parties is sought to be counterbalanced not only by free organisations of citizens, by the establishment of self-government in municipalities and provinces, co-operative societies, and industrial establishments, or by the transfer of law-making power to various committees of experts, but also by the shifting alliance of parties and classes, the protection of minorities, the opposition within the State. All these are comprised in what we may term the second differentiating stage in evolution of the monistic polity.

Progress in the Pluralistic Constitution.—In the pluralistic polity the groups of communal instincts and sympathies which underlie communalism and cognate political structures would lead to the formation of a decentralised polity and administration, a federation of communal groups, village communities, and guild and village unions. In various local and non-local associations there is union of the three functions of government with no danger to civil liberty. There is rule not by majority but by unanimity. According to the Indian and ancient Slavonic principle, nothing can be resolved upon without the unanimous consent of the voters. The law-giver, the judge and the magistrate all sit together in the communalistic polity. There is preserved a continuity in the code of law, which must necessarily in this scheme grow out of the social categories or quasi-instinctive customs that lie at the back of the particular society, and have evolved progressively in the myriad local and communal assemblies. There is far less of constitution-making and devices of checks and balances. Far more attention is paid to the organisation of social and personal values and primary satisfactions than to the machinery or formal procedure. In this type of polity questions of function assume more importance than those of structure, and there is a rich crop of social and communal experiments towards a synthetic realisation of personal values, seeking the emancipation of the individual from the socio-economic codes and institutions. The multiplication of such functions and institutions in the pluralistic polity may be referred to

what we term the second or differentiating stage in its evolution.

Social Progress, West and East.—In the monistic state-type, there is a growing recognition of the need of insisting upon incorporating functional values and interests into the life of the State.

It is characteristic that some recent proposals of the parliament of labour, syndicalist association, working-men's council, etc., in the West are in the direction of the redintegration of the functions of government in local and functional groups, which will tend to fill the great void between the individual as the sovereign and the individual as the subject. In the West social instincts are sought to be realised through the super-imposition of the State as the expression of the general will on the individual as the political unit, while in the East the community or the group is already an integral part of the individual personality, and the political unit is not the individual as individual, but the individual-in-the-community or the community-in-the-individual. Accordingly, socialistic progress in the West tends to be accomplished through State machinery, while in the East the voluntary or ethical co-operation of groups or communities crystallised into social categories or customs is the method of realising social progress. Not the romantic family, a prey to individual passion, but the ethical-religious family which perpetuates a tradition and a faith for the community. Not the interest-groups, a field of class antagonism, but the mutually interdependent and organically inter-related neighbourhood- or likeness-association which co-operates and realises itself for the sake of communal life and well-being. Not the State as the unique expression of the unlimited and inalienable will of the community which is superimposed on mutually repellent individuals or classes for achieving a short-lived peace, but the State as an integral part of the complete and creative individual personality expressing itself in diverse organs of communal control. Such are some of the main lines of distinction which emerge out of comparative political study, revealing to us the operation of the fundamental law of correspondence between the

form and superscription of polity or State-organisation on the one hand and the type of ethnic, customary, legal, economic, and other institutions with which these are correlated on the other. In Greece, and Rome, and in modern states they have given birth to that individualism and that spirit of assertion which underlie the civilisation of the West. In China and India they have resulted in that communalism and that emphasis of personal values which underlie the civilisation of the East.

It is thus that Comparative Anthropology (including Ethnology) and Comparative Sociology (including Economics, Jurisprudence, etc.) furnish us with the data of Comparative Politics, which must all be collated and compared in the light of the fundamental principles of biology and social psychology. The genetic method in conformity with the principles of multilinear evolution and regional variation must be the governing method in these investigations. The entire logical apparatus of analysis and synthesis of definition and classification, of deduction and induction, is but subsidiary to the genetic and comparative method.

CHAPTER X.

THE COMING POLITY.

Communalism, Government by Co-operating Groups.—Comparative Politics, founded on a genetic study of the types of political evolution in diverse geographical regions and cultural zones, will tell us that the pluralistic type of political constitution as of the East would solve many of the insoluble problems of Western politics, such as those of group and minority representation in the working democracies of to-day. Such a type ought at least to have a fair trial when so many contemporary thinkers who have diagnosed the diseases of the present system of representative government are flying from geographical areas, municipalities, counties and constituencies, and are finding in the non-local association of the occupation and the profession the line of "reconstruction," and practicable political reform in England. In the art of administration, communalism stands for the policy of decentralisation, the development of federation, the village community, and the occupational guild, which, if properly restricted and conducted, will safeguard the Eastern social order, and the individuality of the Easterner from the threatening perils of a mechanical-exploitative type of industry and State. The policy of centralisation pursued by the State on the exclusive basis of territorialism is a sure sign of the decay of the strong group and individual life, of the individuating process and the true functioning of institutions. Communalism stands for functional representation, which should be present to give life and meaning to a State founded on a mere geographical basis as opposed to functional units. It stands not merely for the recognition of the rights of local groups, conspicuous

in India and China in the field of agriculture and rural industry, which is entirely a sphere of voluntary and self-managed co-operation, but also for the rights of non-local associations, the organised guilds, the great professions, and the innumerable brotherhoods. New local areas of administration and new types of electorate need not be created by following the methods of representative government of the West; they are already here, producing the most vigorous "communal mind," and thus providing the necessary organs of a new Indian polity. In the communalistic polity the evils alike of place representation, the party system, and the "servile state" are prevented, while the spirit of pettiness and jealousy, associated with the recognition of functional groups, are avoided by a careful and discriminate fusion of collectivism and territorialism in the small local groups, the natural units of political administration. Local and non-local associations thus may be welded together in a composite political structure which will represent the natural evolution of the Indian or Chinese local bodies and assemblies that have heretofore exhibited more or less aggregations of similar parts worked up into compound forms, such as associations on a mere occupational or functional basis imply, though composite social structures have also been evolved. Such a political organisation, while remaining true to the line of evolution of the indigenous organs of Indian or Chinese polity, will mark the development to a more composite structure and complex co-ordination which will prevent the stagnation and exclusiveness of group-interests in functional representation, on the one hand, and the aridity and artificiality of territorial representation on the other. The reformer should no longer trust the empiric instinct or rule of thumb, leaving everything to the community for some final if mysterious reconciling harmony. It is easier to find in India and China a *via media* between the principle of local representation and the principle of occupation or profession than anywhere else: because the organised groups in the scheme of Eastern communalism represent different clearly recognised functions, different faiths and gospels or conceptions of life in a particular field

of their own, and have been accustomed to move together for the larger and more common issues in the system of rural government and indigenous voluntary and self-managed social co-operation in the interests of the satisfaction of each particular group feeling, as determined by function.

Communalistic Reconstruction.—A scientific reconstruction of the administrative and representative machinery will give power and real expression to the diverse functional groups: a self-conscious rational political organisation will give ample scope for the expansion of functional groups with an intensive as well as an extensive controlling consciousness, aiming at the ideal, not of a gradually increasing bureaucracy with gradually enlarging powers of keeping the people in order, but of an enlightened community increasingly able to regulate its own affairs in its diverse local bodies, occupational and professional brotherhoods and unions. The natural development will be towards a People's State, communal in its lower stratifications, and democratic and federal in its organisation, which will maintain the primary value of direct political activities in communal bodies and local assemblies, existing independently of and parallel to the central governing organisation where collectivism and local representation will be tempered and modified by the recognition of groups. In the village communities we find an integration of neighbourhood and occupational groups—and other functional groups also—organised into the intellectual castes, or communities, guilds, professions, and brotherhoods. Though we have unions of a group or circle of village communities, the further stage in Indian and Chinese political evolution was not worked out fully and increasingly. The expansion of associations on a territorial basis has been checked both in India and China because the central government in the hands of foreigners did not reflect public opinion. But the simple integration of homogeneous occupational or communal groups has gone far enough to give them their real effectiveness. Perhaps the destiny of the Indian and Chinese polity will be to co-ordinate and correlate the neighbourhood and communal groups. Practical co-operation and co-ordination will be

worked out in the villages and their unions following the political traditions of the past, while development on the lines of modern constitutionalism will give these countries the provincial and imperial assemblies of delegates representing much larger territorial units or political divisions. Neighbourhood and occupational or communal groups, either independently or one through the other, must both find representation in the Indian and Chinese polity, and the solution of the two houses of legislature, dividing neighbourhood and occupational or communal representation, may be the result of patient trial and open-minded observation and experiment. But it may be a more vivifying political process if, instead of trying to place side by side the two opposite principles of group-formation, viz., of occupational and local representation, in the scheme of government, we allow an unarrested development of the pluralistic type of polity, attending mainly to the question of the delimitation of function and authority as between the central organ of government and the various particulate local and communal bodies. Only those affairs, the want of correlation or co-ordination in which brings about the inefficiency of the nation as a whole, will be left to the organs of the central authority, and, further, these must be of as much vital and intimate concern to the lives of the citizens one and all as the local and group problems are to the smaller units. Even here specific decisions on special issues satisfying these conditions should as far as possible be reached by means of the " referendum," because a referendum implies the same direct primary and immediate choice, as is the basis of the procedure of all local or communal groups. So far, however, as a central organ is required for purposes of joint deliberation of the groups over questions of vital and intimate interest to the entire body of citizens, questions which cannot be met by specific decisions, it will be necessary to adopt some plan of proportional representation for the constitution of the central body. But there must be sufficient elasticity in the constitution to admit of adaptive changes in the groupings themselves, which furnish the basis of such proportional representation; it is only

by this means that the standing tyranny of any majority, whether of groups or of classes, can be prevented, especially if we re-orient the groups according to the nature of the particular problem at issue as well as its different bearings on the groups themselves.

But by far the greatest part of legislative and administrative work in a State will devolve on the myriad local bodies and communal assemblies with their principle of direct action and constructive adaptation.

The old machinery of delegation-cum-responsibility, which was evolved by the system of representative government, has broken down by universal consent; and a new machinery somewhat on the lines sketched above may satisfy the more complex political needs of the communalistic polity.

Co-ordination Problem.—In neither the occupational or communal group nor the neighbourhood group in India do we find much of the party spirit to-day that is the bane of our upper-class political life. We need the old Indian political method; the group process is applied in India to occupational groups as well as to neighbourhood groups, to business and trade groups, to professions, brotherhoods and communities; we want a system of social and political control based similarly upon vital modes of association, and a system of law that reflects not the wrangle of conflicting elements and interests of the body politic but their co-ordination by the only vital democratic process that begins, not in parliament, but right from the bottom in myriads of local bodies and assemblies. A great difficulty of Western political pluralists has been the impracticability of finding effective co-operation between groups without a sovereign authority laying down the principles that govern the co-operative process. In India a type of polity is conceivable in which no one group or other secures ascendency in actual power, and in which co-operative effort becomes articulate through principles, customs or public policies which arise out of the voluntary adjustment of conflicting elements or interests.

Communalistic Polity for India.—The ascent from

the family, tribal or caste to neighbourhood groups, from instinctive and mechanical to ethical co-operation, from loosely co-ordinated functional groups to consciously organised associations for the satisfaction of particular life-schemes and ideals ; one layer of a more complex and comprehensive consciousness super-imposed upon the simpler and the more intensive in more or less successive stages on the subsoil of our people's characteristic political instincts and traditions, which are themselves the outcome of geographical conditions and the social and historical series—that is the real series of the development of Indian polity. In this direction lies the real progress of self-government in India, adapted to her present cultural needs and rising to a constructive principle in political evolution, fully satisfying the demands of the corporate communal personality in the social and political groupings of the future. The *panch* stands for a type of socio-political organisation, the preservation and development of which, under the guidance and driving force rather than the all-embracing authority of the British government, are essential. The Indian village community, representing as it does the integration of the needs and interests of diverse classes and functional groups, has created for itself permanent and constituted organs of the common life as well as bodies of customs which regulate the rights and duties of individuals to the group and of groups to one another. The sanctions are not derived from any external authority which welds the diverse interests of the polity through one dominating central organ, but from the force of customs and usages that are of a quasi-instinctive character in their origin and growth as well as in their cohesive and binding nature. The *panch* does not create the law nor is it the convention of contracting parties that maintains it. The *panch* only utters the law as the repository of a self-subsistent *dharma* that rules the counsels of men. In the end the accumulated tradition of the race is idealised as a system of social values which, instead of being created and conserved by the sovereign fiats of a central organ, themselves create and conserve an infinite multiplicity of organs, whether in the form of guilds or castes, *sanghas* or

communities, *ganas, samuhas* or classes, each of which accordingly partakes of a quasi-independent jurisdiction and participates in the common sovereignty of the *dharma* of which the community is the body. Rightly ordered and expanded on modern lines this will furnish the basis of a new polity which in its complex co-operation and co-ordination of multiple groups will be more satisfying and successful in the State and inter-state constructions of the future than the monistic organs of the Roman and Teutonic type: it is towards such a type of political institution that modern schemes of syndicalist councils and labour parliaments, of international labour-bureaux and leagues of nations are groping, for these but carry into the international organisation of humanity the same essential principle of communalism which in its incipient form has been the ideal of the Eastern polity.

Communalism of Nations.—The principle of communalism will solve many of the difficulties and drawbacks of recent inter-state constructions and relationships. The executive of the League of Nations will stand in the same relation to particular nations as the central organs of the communalistic polity to the local and functional groups, and their authority and function will be delimited according to the same principle. Political self-determination should not be sacrificed to an abstract or doctrinaire international creed. The referendum of the nations of the earth for decision of such specific questions as the limitation of armaments, the open door in the East and the shut door in the West, the control of the Pacific or the freedom of the seas, is not an idle dream; the direct choice will involve the same intimate and vital relationship as is the foundation of the procedure of all local or communal groupings; while those questions, equally vital to welfare of humanity, which cannot be met by specific solutions will be left to the decision of the nations' executive, where some plan of proportional representation will be in operation. It is also essential that the constitution of the executive shall be flexible, allowing of an adaptive re-grouping of the constituent nations. The intrigue of nations or the tyranny of high contracting parties

can only be avoided in an executive and a legislature, the changing composition of which will be in accord with the nature of particular international problems at issue as well as its different bearings on the nations. The device of panels will be very useful in this regard. In the case of immature peoples and backward regions, which cannot meet on equal terms with the superior peoples, there must be special safeguards and provisions for special representation, so that the inferior peoples may not be economically exploited or held beneath an oppressive political yoke.

Mandatory System and its Problems.—The League of Nation's covenant says that the tutelage of peoples not yet able to stand by themselves under the strenuous conditions of the modern world should be entrusted to advanced nations, who, by reason of their resources, their experience or their geographical position can best undertake this responsibility. In view of present-day international conditions, and of past dealings—deeply stained with atrocities —of all civilised nations with backward populations, such safeguards are not adequate to prevent perversion or to ensure justice. Again, the mandatory system will become an instrument of a virtual world-monopoly or world-domination by one State or group of States, if the League permits a member of the League, or a member State of a federal unity existing within the League, to accept a mandate for additional regions which will increase their economic or political opportunities. Moreover, conquest, military occupation or other right of war should not give any claim. The mandatories should be selected by the League in times of peace, and the claims, colonising capacities and circumstances of every State should be carefully considered by the Council and the Assembly of the League, which will take into special account the wishes of the particular peoples as well as the judgment of colonial experts, as regards the comparative value to civilisation and humanity of the colonising activity of the different powers. Lastly, the mandatory system should also be extended gradually to include the existing colonies, protectorates and dependencies inhabited by immature peoples, which will be handed over

to the League and received back by the States as mandatory powers, the protection of these regions against external attack thus falling upon the League. The ideal to be arrived at is the evolution of inferior peoples from subordination to autonomy under the tutelage of the League of Nations or a special mandatory power, and the transformation of an empire into a loose federal unity. The League should periodically institute impartial inquiries by appointing international commissions to find out whether an inferior race or backward region is being exploited, and there might be a referendum supervised by the League in critical cases to determine the lines of future policy of the League, especially when the subject people attain a level of culture near to that of the dominant people.

Vitality of Group-process.—Rightly ordering the evolution from the bottom right up to the top in a process of political experimentation, albeit accompanied with risks and mistakes, the strength and creativeness of local, national or international organisation will be found to lie in the vitality of group-process. Thus, the same process will create the League of Nations and the Czecho-Slav State, the Guild Congress and the Shop Committee, the Imperial Conference and the Rural District Councils. The problem in each case is that intermingling of groups which continuously evokes creative power, freedom and law. Peace, whether social or international, will be ensured in proportion as the groups with their principle of immediate action are substantial and genuine, satisfying the totality of life-values and not partial life-schemes and ideals, and are accustomed to move together for the larger and commoner issues. The less creative the group process, the more danger there will be of direct action at the top, whether in the form of national strikes or of international wars. Again a neglect of the communal principle of integration at the bottom is always accompanied by particularist separation of group feeling, and the danger of the tyranny of the majority being crystallised in committees, councils or soviets of the proletariat class intimidating the nation, as well as in juntos or conclaves of the great powers threatening the peace of the world.

Procedure of Peace-making.—An international organisation of representatives at the top has often to address itself to the task of reconciling crystallised sectional and vested interests of peoples; this has been the real object of diplomacy in the past, and this has been the method of procedure in courts of arbitration and international conferences. The fundamental defect of peace and arbitration by delegation or diplomatic negotiation has been now manifest; in a future machinery of international settlement, the place of intermediaries will be duly limited to a preparation of the case in dispute, but the actual negotiation will be carried on in the court as it were of the primary bodies, the arena of the peoples themselves. The parliaments of the peoples concerned may hold joint meetings for discussion and deliberation of the points at issue, and this itself will pave the way to a proper mutual understanding and reconciliation. Even more important is a mutual understanding of the exponents and organs of public opinion of the conflicting peoples outside the channels of the constitution by means of international sittings *ad hoc*, and also by a system of delegations and missions from one people to another adopted as a standing arrangement in times of peace as well as war.

In all this what clearly stands out is that the machinery of government will return, though in a glorified shape and on a larger scale, to the primary assemblies out of which all governments have risen, thus exemplifying our law of the three stages which postulates that the third and last stage in organic or social evolution always means a recapitulation with new meanings and purposes, and in a higher and more extended life, of the essential elements which go to make up the organism in the first stage,[1] while the second stage merely represents a transitional differentiation and individuation.

[1] *Vide* the writer's *Principles of Comparative Economics.*

PART III.

EASTERN COMMUNALISM AND DEMOCRACY.

CHAPTER XI.

THE COMMUNAL DEMOCRACIES OF ASIA.

Political Reconstruction in India.—In India, we are to-day in the midst of a general reconstruction of the political system. It seems, however, that the lessons of our ancient history or the living traditions and folk-experiences of our culture are set at nought in devising our political future and its machinery of government. In the schemes of reform that were recently advocated by different classes or parties or responsible persons in India or in England, the political methods and instruments of the West have been looked upon as models for India to imitate with caution and sincerity. Representative institutions have been considered as coming only from the West as a result of the British connection with India. Starting from small beginnings laid down many years ago, we find an attempt to liberalise the government of India which has culminated in the Government of India Act, 1919. It is party government, pure and simple, that the Montagu reforms are transplanting from the banks of the Thames to the plains of the Ganges and the Indus. Meanwhile, the mistakes of Western democracy have been too insistent. In Great Britain, the failure of the parliamentary system to express the forces making for change to-day diverts a large part of these forces into various forms of "direct action," all of which are revolutionary. Thus it is a remarkable paradox that, whereas the results of the parliamentary system are becoming more and more revolutionary in Great Britain, the system

is introduced as essential to India, the home of communal experiments in social, economic and political life. The persistent failures to grapple the Irish political difficulty, and to devise a suitable constitution, represent but another instance of the inapplicability and invalidity of parliamentary or party methods in Great Britain for the solution of a conflict of interests and functions, economic, communal, and religious.

Pluralistic Trend in the West.—The West in fact has not been slow to evolve new political methods. Feudalism bequeathed to the West the centralised administration and the political system, still surviving in the monarchy and the House of Lords; liberalism imposed its system as represented in the popular assemblies (which now obviously require supplementing); so socialism to-day is evolving its political system in the councils. In Russia we have the *mirs*, the *artels*, the industrial councils, working-men's councils, peasants' councils and the soviets. In the milder Rate-Republiken of Germany, the developments of council government, as now consecrated in the constitution, are characteristic, and workmen's councils, industrial councils, soldiers' councils, and communal councils are becoming recognised components of the council system. In Great Britain, the "mother of parliaments," the new movement towards the group solution of social and economic troubles is most significant. In the Church's Enabling Bill, the British Parliament concedes to the Church a very large measure of self-control and self-management; nationalisation as well as group control and ownership are also being emphasised in different fields of social and economic management. Great Britain is working away speedily at Guild Socialism and Shop Committees, and even extending Whitley Councils to the Civil Service and Welfare Committees to the Royal Navy; in industrial government she has already shifted the centre of political gravity from Parliament to the cabinet of the principal trade-union leaders, which before long will probably supersede the present executive of labour, the parliamentary committee of the Trade Union Congress. In Germany, in France and in Britain, the present

coalition governments, originating in the exigencies of national crisis, have gradually discovered that the council system is a truer democracy than existing party and parliamentary systems, being a much surer and safer machine for the realisation of public opinion; while the real labour movement has passed to the group and council system, the more so with the rise of labour to political power.

In America, Congress is losing function after function, its place being taken by the industrial experts of the various commissions. There are national commissions for railroads, for inter-state corporations control, for shipping and the tariff. The old state lines and district lines are fading. The industries are the new states of the nations.[1] In the English guild socialism and the French syndicalism, in the Russian soviet democracy or in the American federalism, we find a gradual transformation of the central monism of the existing political order into a composite pluralism, which is the essence of the communalistic polity.

Social Democracy of India.—In the East, different in origin and in development from the democracy of Parliament is the democracy of the village community, the communal council, or the guild system. Communalism in the East has evolved this particular political system, even as socialism to-day in the West is evolving its political system in the councils. The village assemblies, the caste and sub-caste *panchayats*, the city councils, the occupational or professional guilds, or communal federations and assemblies of the folk, the assemblies of a group of villages, tribes and castes, which India has known through ages, have survived many vicissitudes, but none more perilous than the encroachments of the strong and centralised British imperial government, and the economic legislation and administration based on individualistic concepts of rights and property. Neither occupation nor kinship, neither caste nor tribal communalism has been the sole basis of Indian social democracy, though each has contributed its element of cohesiveness. Side by side with caste assemblies and occupational guilds, and their union or federation, we have in India the local bodies on a

[1] See the *Philosophical Review*, November, 1919.

territorial basis, and the territorially elected larger assemblies. Their origin and their development along parallel lines are characteristic of Indian polity, and are reflected in the principal social organism of India, the village community.

Political Fusion in the Indian Village.—In India, there has been going on for centuries an inevitable and silent process of the fusion of races, which has left its stamp on the social gradation of the village community. Distinctions of race, religion, caste and family come gradually to be merged in the village polity. The non-Aryan tribes, who have settled in Hindu villages and entered the Hindu fold, comprise the impure castes, relegated to degrading and menial occupations; groups from lower castes continually succeed in obtaining admission into a higher community when they obtain possession of land, or other incidents of a higher social or economic status; while groups of diverse origin are amalgamated owing to their common calling, hunting, fishing, pastoral pursuits, agriculture or handicrafts, for instance; though in India artisan castes never form villages of their own as they have done in Russia: thus the enormous majority of castes are occupational, and their social position depends roughly on their caste calling or the degree to which it is lucrative and respectable. Large sections of the Dravidian tribes on their acceptance of Hinduism and the Hindu code of clean living and the development of the caste system thus become enrolled in it with a caste status on the basis of their occupation or service to the village communities; and their original tribal affinities gradually disappear. There is *pari passu* a supersession of the older methods of tribal division and ethnogenic government according to clans or septs extending over a wide area by the demogenic polity of the village community on a territorial rather than the kinship basis. Thus, it is mainly among the nomadic and the gipsy groups, the impure and menial castes, who are in the low scale of Hinduism as sweepers and scavengers, that *panchayats* having a very wide territorial jurisdiction are best seen, though artisan and trading communities also exhibit a far extending and

widely ramifying scheme of guild polity. The *panchayat* of the particular community, which is really inside the caste system when this is considered as the socio-economic organisation of the Hindus, gradually obtains full admission to the village polity, and thus the *panch jati* or five castes come to be represented in the village *panchayats*; the village assemblies and their unions and federations into larger bodies having a wide territorial jurisdiction are as important in the scheme of Indian self-government as a widely extended guild polity, functional or caste government proper.

Problem of Political Reconstruction in India.—A serious attempt to rehabilitate the *panchayat* system has been initiated only recently; but even now the *panchayats* are trusted with but a small share of direct responsibility for the administration of affairs, while the new administrative creations of larger rural unions or boards or circles are too artificial to be constructive. The village communities and city guilds and brotherhoods, the scheme of caste polity or the larger local or non-local associations, have been ignored or else thwarted and threatened. And yet, rightly ordered and expanded on modern lines, such a political system, which the deeply humanised and socialised scheme of Indian communalism has evolved, will have much greater chances of success than the democracy founded on the Western pattern and superimposed upon the people from above. A communal democracy, rising layer upon layer from the lower strata of *panchayats*, guilds, unions and brotherhoods, communal federations and folk assemblies, in the changing composition of which every trend of public opinion has immediate expression, will be more representative than an Indian parliamentary system in which the party leaders are out of touch, necessarily, with their enormous constituencies, and too much dependent on agents, reporters, and even on the press. Nor should we fail to profit by the lessons of Western political evolution when we set out on the new track of modern constitutionalism marked off from the older communal form of self-government by the political devices of delegation *and* responsibility. It may be that in the years to come the function of the

territorially elected legislative council will ultimately become more and more that of an upper house, while the functionally and industrially elected body that may be created out of the union or federation of existing or rehabilitated indigenous forms of popular government will be the creative and constructive institution. But all this is left to the practical constructive politicians and reformers of the future to solve. As we get the power to mould our institutions, we may, indeed, evolve a system of government which will thus find a working compromise or rather co-operation between the opposite principles of group formation involved, which have more or less governed the development of polity in the West and in the East respectively. Meanwhile, let all reformers in India beware of the errors of Western democracy, and try to build a safer and surer political edifice from the bottom on the foundations of our village or caste *panchayats*, occupational guilds and other local or non-local bodies and assemblies, casting out the abuses and evil customs which have clung to them, and educating the people along newer and broader spheres of political endeavour in response to the demands of a wider civics and a higher nationalism.

Political Foundations of West and East.—From a universal standpoint it would appear that while the foundation of political structure in the West is the separation of individual and the State as two radically independent, absolute and even opposed elements, with consequent emphasis of individual rights and the power of the State, that of the Eastern political structure is the incorporation of group-will into the life of the individual oriented in diverse intermediate groups between the State and the individual, resulting in a communal ethos, which arises out of the free and voluntary co-operation of quasi-independent organs of social government and in the weakness of central authority. An ideal of political efficiency which looks only to the strength of the centralised absolutist structures and the fiats of sovereign authority is inadequate and partial, even as the ethos and traditions that are the outcome of an individual conscience are disruptive. But this ideal and

these traditions, descended from Rome, have been the criteria and tests for the judgment of political life and institutions throughout the world.

Communalism an Integration of Interests.—In the East, communalism stands neither for the natural rights of individuals nor for inviolable State rights; neither for inherent rights of groups nor for legislatures balancing conflicting interests, but for a genuine integration of the interests of all the parts in the unity of the State, which should have authority not as a separate group, but only in so far as it gathers up into itself the whole meaning of the constituent groups. Communalism rests not on "social contract," "rights" and "balance," but on co-ordination, duties and compounding, through the only genuine and vital democratic process, that of trying to integrate myriad group ideas and interests earlier than parliaments or councils and further back in social and economic life.

Aryan and Semitic types of Political Evolution.—An exclusive idea of democracy is as inconsistent with the ideal of the League of Nations as a purely selfish nationalism with the over-riding unity of all nations. In the history of Politics there are, as we have mentioned, two clearly marked types, characterising two fundamental tendencies in the evolution of political institutions. These may be termed for convenience the Aryan and the Semitic, because the best-known instances of each such type have been historically evolved in connection with the Aryan and Semitic races respectively. (1) The first is represented by the assemblies of elders, heads of families, etc., which meet on more or less equal terms for the regulation of associated life in all its aspects. In India, this type of polity culminated in the village communities and city guilds, while in the West it developed into the democratic city states, ultimately overrun by the centralised Roman polity. Particularist tendencies and organs were developed by feudalism, but these were swept away by the new monarchy which kept alive the ideal of Roman imperialism. After prolonged struggles for supremacy, democracy established itself, instituting its central organs which eclipsed the power of

kings and nobles, but which yet has not freed itself from the Rome-descended tendencies of centralisation and exploitation, and the particularist notions of consent and balance, alien to its fundamental nature and ends. (2) Among the so-called Semitic peoples, we find, on the other hand, tribal assemblies constituted into central units under a single well-defined authority, generally an absolute head. This developed into the great monarchies of the Ancient East. In the Saracenic culture, however, we find democracy developed out of the absolutist institutions of this type under the equalising and levelling influences of Islam.

Politics of the Islamic States.—The great Arab thinker and statesman, Ibn Khaldun, anticipated Buckle's theory of the influence of climate and food five centuries before him.[1] He observes that in country places in the desert, humanity, by simple fare, by laborious living, awakes to religious feelings. The Bedouin in his desert, and the mountaineer in his fastnesses, exhibit a keen sense of freedom and love of enterprise; and when Islam, with its ideals of equality and brotherhood, was preached among them, they became the most powerful instruments of its dissemination. But when there arose the *Schiite* doctrine of fixed hereditary succession and the worship of the descendents of Ali, it could not find acceptance among them as it did among the inhabitants of old Babylonia, an Aramaic race, engaged in agriculture. The Arab tribes, the Bedouins, and the Berbers, inhabiting the entire North African coastland lying beyond Egypt, are similar in their tribal constitution, in their mode of living, and in their entire mentality. The ideas of the Kharijites obtained an unmistakable ascendency among them. In Africa in particular they were propagated with unexampled success with important effects on the political history. When the old Arab franchise, which was a universal franchise, disappeared, and the right to elect the sovereign fell into the hands of the soldiery and the inhabitants of the capital, a portion of the Arab population passed over to the Kharijite camp,

[1] Khuda Bukhsh : *Politics in Islam*, a translation of Von Kremer which has been summarised here.

where the old democratic ideas prevailed, and where even the necessity for and usefulness of a head of the State was called into question and denied, or where the election of the sovereign was held to be wholly unfettered by any consideration of hereditary succession or family connection; for they maintained that even a slave or a peasant, if just and pious, was eligible for sovereignty. The colossal empire of the first caliphs was built easily by the Bedouin with his love of adventure and booty, but there could not be maintained a balance between the old Arab independence of the Bedouin tribes and the need of order in an empire which also included large towns and a settled agricultural population. Thus, the oft-recurring strife between the Persians, townspeople who cultivated lands and served in the army of the caliph, and the Arabs, people of the desert, who fought now on his side and now against him, contributed no little to the decline of civilisation and the fall of the caliphate. To this was added rivalry and civil war, born of the feeling of differing nationalities who found themselves in the bosom of an Islam that rested its strength no longer on the national sentiment of the Arabs. Two characteristic institutions served, however, to maintain order. The first was the institution of clientship and patronage, which knit together, under the influence and command of the head of the family, hundreds of near and distant relatives of clients and slaves. The second was the mosque and the *madresah*, richly endowed by princes and *amirs*, merchants, ladies, and savants with landed properties, and under the powerful domination of the *ulamas*. In Islam law and administration of law were inseparable from religion. The law is above the prince. The theologian who knows the law is, therefore, the instructor and guide of the prince, as says Ghazzali. Thus the administration of justice passed entirely into the hands of the *ulamas*, who, with it, acquired immense influence and immense wealth. True the Caliph Omar appointed judges who were paid by the State, but it must be remembered that along with their fixed pay they received fees (*e.g.*, for delivering *fatwas*) which far exceeded their emolument. The guild of the *ulamas*, forming a graded and

rigidly confined hierarchy, was thus the dominating class, and the bulwark of strength of the people against the oppression of the ruler. Private individuals prefer to entrust the administration of *waqf* properties to the *ulamas*, such as the *mufti*, or to the *mullas* or other ecclesiastics of the town where such property happened to be. In Egypt, to this day, *waqf* properties are mostly under the control of the influential *ulamas*. Throughout the entire Muslim world these include endowments in favour of institutions for the study of the Koran and *hadith* for the establishment of cloisters (*ribat*), places of shelter (*khanqah*), hospitals, eating-houses and fountains for public use, etc. Everywhere in Arabia, Asia Minor, Egypt, Africa, Persia or India, pious sultans, *amirs*, and merchants founded mosques, *madresahs*, inns and chapels, and these were in charge of a type of village and country priests who were quite content with the charity of the princes and the populace. The influence they wielded was very peaceful, and the mosques, cloisters, *madresahs*, *caravanserais* were so many seats of culture and exchange of ideas, though these were often rudely awakened by the tumult of devastating armies. The position of the *ulamas* has long combined to be one of respect and influence. They have held judicial and educational offices. They have commanded large incomes; but, in spite of this, they have ceased to occupy the most powerful position, because military or secular interests have prevailed. The old Arab theory of elective sovereignty was replaced by the theory of governorship by usurpation, and the sultan became in his own State not merely the head of the State but also the high-priest of religion as the military regime superseded the theocratic. Thus, even the Ottoman Government subordinated the clergy to the State. In Egypt a much more far-reaching change took place. Similar tendencies manifested themselves in Persia, where at the commencement of the reign of Mohammed Mirza (1835) an attempt was made to set a limit to the encroachments of the *ulamas* in the administration of justice by establishing a Supreme Court of Justice. Not less significant is the influence of the dervish guild which grew out of the ecstatic

enthusiasm of the Persian *sufis*. There is found even to-day a network of religious brotherhood throughout the Muslim world. They have established chapels and inns for dervishes all over the Muslim countries, where religious and social gatherings are held, and where even strangers receive a friendly hospitality. They call themselves brothers, and their types, such as the *mulis* and *nakshabandi* of modern Turkey or the *maulanas* and *fakirs* or saints of Persia and India, play no small part in the social and religious government of the Eastern peoples. Piety, which has directed the enthusiasm of the populace as well as of the merchants whose voluntary contributions (*zakat*) support such institutions, has permeated the entire culture of the Muslim world. The *ulamas*, who are the theologians by profession, were often not favourably disposed towards the guild of dervishes, but often cordial relations subsisted, and lawyers, *ulamas*, dervishes all dined at one table at the court. The interplay of these two powerful factors, the *ulamas*, and the dervishes, explains much of the social history of the Muslim commonwealth. The cult of saint-worship in India, the most alluring humanism of Muslim culture in Persia, the bigotry and spirit of independence of Muslim Calvinists in Africa and Morocco, or the intellectualism and spirit of compromise shown by the Turkish empire have survived world-shattering forces. Since the fall of the world-dominion, Islam has never seen worse days. It is to-day divested even of its old local habitation. And yet it can emerge firmer and stronger than ever if the old spirit of equality and brotherhood, the tremendous force of all Semitic religions, is reawakened in mosques and inns, *madresahs* and *caravanserais* by the guilds of *fakirs* and theologians, and harnessed to solve the problems of modern economic and social democracy. From the standpoint of the world-history, such a solution is expected of the new Islam, which must give up its narrow dogmatic ideas, though Persia, India, Turkestan, and Egypt will solve their political problems along their own special lines. The strong support given to the constitutional movement in Persia and Egypt by some of the best and most distinguished

mullas and *ulamas* is perhaps the most striking phenomenon of their political upheaval. Indeed, to them it has often fallen to champion popular causes in the Islamic world.[1] The organisation of Islam is democratic. The government exercises a control by granting titles and recognition, and the *mullas* and *mujtahids*, both as authorised expounders of the *Shariah* and as popular leaders, influence government. An even greater influence is enjoyed by the dervish orders, though the dervishes are, to some extent, sometimes controlled by the appointment from them of a *maquib* or civil head in each city. In Central Asia the *rais* superintends public conduct. What he is still for Central Asia the *muhtasib* (police-inspector) was for all Islam in former times; but at present, when modern European institutions are gaining ground, the office is but a nominal one in Turkey as well as in Persia.[2] But the power of the ecclesiastic dignitaries is seen at its highest in Yemen, where the judicial authority is vested in a certain number of *kadis*—a tribunal in which the *imam* in person acted as presiding judge and thus exercised the power of life and death. Throughout a great portion of Western Asia the principles of jurisprudence are founded upon the Koran, which is the code of civil as well as religious law. The laws of inheritance are, however, modified according to the economic conditions or ethnic layers. The *imam* presides in person over the highest tribunal in the trial of cases of great gravity. All litigated questions involving the rights of property are decided by judges or *kadis* of inferior jurisdiction. The plaintiff and defendant manage their own cause without the assistance of lawyers, but they generally advise with their friends in the course of the proceedings. Though the *sheikhs* or chieftains have very great authority they are not possessed of the power of life and death. Personal security and the rights of private property are almost always respected by them. They acknowledge the supremacy of the *imam* for their acts of authority and their

[1] *Vide* E. B. Browne: *The Persian Constitutional Movement.*
[2] Article on "Muhammadanism" in the *Encyclopædia of Religion and Ethics.*

public administration. Even among the Bedouin Arabs, when neither the sentence of the tribal chief nor the decision of umpires can bring a matter to an amicable conclusion, the adversary may be cited before the *kadi* to be judged in conformity with well-known usages and authoritative precedents which are above the families, the tribe, or the *sheikh*.

Islamic Commonwealth.—Western scholars have accustomed us to identify the development of the Islamic polity with the pomp and grandeur of the courts of the Ommiad and the Abbasside Caliphs. The Semitic conception of a republican State finds but little notice, and yet the communal-democratic system of politics, founded upon the basis of theocracy in the Islamic commonwealth, is one of the most remarkable phenomena of political evolution, not less significant than the development of the Athenian democracy and the Roman republic. In the social organisation of the nomads and the settled Arabs, *sheikhs* or heads of clans and families administered tribal affairs, and were guided by the customary laws of the clans and the gens. All matters affecting the community were discussed in the *majlis* or assembly of elders. The council of elders of the ancient Arabs ultimately developed into the national council. After the death of Muhammad, his companions administered the law as they had received it from the Prophet, but all cases of doubt and difficulty were solved by *ijma, i.e.*, consensus of opinion or general accord. For this purpose there were two councils—the national council and the council of citizens. Important matters affecting the State or community in general used to be referred to the national council (*majlis-i-shura*), when all the companions of the Prophet and the chief men of the tribes were invited. Matters of less importance were referred to the council of the citizens, where the *mohajirins* and *ansars*, *i.e.*, the Meccan and Medinite companions that happened to be present in the town, used to assemble, and the point in issue was decided by their consent. The consent of either of the two councils was necessary for all measures and appointments. Similarly legal questions used to be

discussed and decided in the *majlis* (council) in the presence of those who were in a position to express opinion on the points. The democratic spirit of the Islamic law corresponded with the Semitic idea of a republican State and with the large measure of freedom and independence that were still reserved for local bodies, tribal councils, and communal assemblies. The history of the caliphate proves that election by the people or nomination by the sovereign was regarded as the only valid title to sovereignty. Sacredness was attached to the oath of allegiance and homage to the sovereign-elect. During the caliphate of Omar, all business of the State was conducted on rightly ordered constitutional lines. The laws of the republic and the rights of the citizens, Muslims and non-Muslims, were proclaimed by messengers in provinces and towns by Abu Bekr and Omar, and in these perhaps the most significant feature was the concept of law ruling through the utterance of justice and the necessary separation between judicial and executive authority. The decision of cases in mosques, where access was open to all, by caliphs, *kadis*, *naib-kadis*, assisted by *adls*, the appointment of *Amir-ul-Arab* or some chiefs for the control of nomadic tribes, of non-Muslim magistrates and priests to administer justice among non-Muslim subjects, and of a special officer called the *kitabul jahbazeh* to look after the interest of non-Muslims, the judicial work entrusted to city councils, presided over by the town *qazis* and *muftis*, and to the corporations of merchants, presided over by the *rais-ul-tujjar*, all testify to the remarkable development of the democratic spirit of the Islamic administration. In these days of woman's emancipation, we may also recall the fact that in Islam there were female jurists and female judges who used to expound laws and administer justice; a woman can be, under the Islamic law, a jurist and a judge, can appear in a law-suit before a *kadi* and plead her cause, can act as a judge or magistrate, an arbitrator or *panchayat* (*hakam*), can hear appeals and decide cases on reference. The Muslim communalism has survived the vicissitudes of fortune, and, though it has shown fanati-

cism and aggressiveness, the solid and admirably organised Islamic commonwealth is gradually admitting a freer element of change and progressiveness which may bring about a new communal order. In Egypt, in Persia, or in Muslim India, the development towards modern constitutionalism may be made easier by building on the original and essential democracy of the time-honoured *majlis* and *panchayat*; the renewal of the Mussalman commonwealth on this basis will be a new experiment in communalistic polity, which will be more satisfying than the importation of Western democratic institutions and methods. The constitution of Persia, for instance, introduced in 1906, was " a paste and scissors compilation, mainly derived from French and Belgian sources, which, ignoring national methods of administration, was utterly unsuited to the requirements of the country." [1] Indeed, the *majlis* was more effective, an assembly of wonderful capacity. Some deputies were elected, and these co-opted others, while at all times the influence of public opinion was a potent factor in the decision of the deputies.

Importance of Eastern Political Forms.—In Comparative Politics, the councils of chiefs and communities of the Semitic peoples, the village communities, town guilds, and communal councils of the Indo-Sino-Japanese, the democratic ideals of Islam, Buddhism, or Confucianism, the occupational or professional guilds and brotherhoods and their widely extended juridical machinery, or the sliding scale of upward economic movement and consequent social differentiation in the East, are as important to the student of political science as the familiar series in the development of Græco-Teutonic polity—the city states of ancient Hellas or medieval Europe, the feudal or the parliamentary systems, or party and soviet governments. We shall now turn to a third, the Mongolian, form of communal polity, which we meet with throughout the Eastern Asiatic seaboard. But, before we do so, we briefly note the political organisation of the nomadic Mongolian hordes of the steppes, the system of the *jirgas*

[1] Balfour: *Recent Happenings in Persia.*

or councils of chiefs and communities of the Turkoman or Turanian peoples distributed throughout their tribal territories and bound together by common land or water or common vendetta, or by some form of totem or eponymous kinship.

Peoples of Desert, Steppe, and Mountain.—Central Asia shows a threefold cultural stratification of its population. The steppes have their scattered pastoral nomads; the Piedmonts, with their irrigation streams, support sedentary agricultural peoples, concentrated at focal points in commercial and industrial towns; the higher reaches of the mountains are occupied by sparse groups of peasants and shepherds wringing from upland pasture and scant field a miserable subsistence. Political organisation is conspicuously lacking amongst the scattered nomads. In the South-West, the Bedouin is personally free. Among the Turkoman tribes of trans-Caspian steppes, the power of the *sheikh* is only nominal. "We are people without a head," they say. Custom and usage are their rulers. Though the temporary union of nomadic tribes forms an effective army, the union is short-lived. The groups form, dissolve, and reform with little inner cohesion. Yet the deserts and steppes have always resisted conquest.[1]

The body of the Arabian people is still free. The Turkish sovereignty over them to-day is nominal, rather an alliance with a people whom it is dangerous to provoke and difficult to attack. Only the coast provinces of Hejaz, Yemen, and Hasa were subject to Turkey, and subsequently have changed hands, while the tribes of the interior and of the South-Eastern seaboard are wholly independent. The Turkoman tribes of Trans-Caspia have been subordinated to Russia largely by a process of extermination. China is satisfied with a nominal dominion over the roaming populations of Mongolia and Chinese Turkestan.

Among many of such nomad tribes, conditions of pastoral life and of constant wandering in the steppes or deserts have led to a regular and organised system of encampment and movement for the whole tribe, as we find among the

[1] Semple: *Influences of the Geographical Environment.*

Kalmuks, for instance, who are divided into *sumuls* or squadrons (each of 200 tents) which are supposed to constitute Chinese irregular cavalry. Each *sumul* is under the direction of a lama called a *gelem*, who is a priest, doctor, and sorcerer; and a laic, called a *zang*, who is concerned with the military and judicial affairs of the community. A similar repugnance to centralised authority appears everywhere in the mountain regions of Asia. The Tibeto-Burman hillfolk of the Eastern Himalayas are divided into clans, and concede a mild authority to a chief who rules a group of clan villages, but only rarely is able to secure power over a larger district. The Khasia Hills of Assam are broken up into twenty-three petty states, each under its own rajah or chief, who has, however, little authority beyond the administration of justice. The spirit of clan independence characterises equally the tribesman of Persian Luristan and highland Kurdistan. Along the rugged upheaved area which forms the Western boundary of India from the Khaibar Pass to the sea, British officials have had to negotiate with the native Pathan and Biloch *jirgas*, assemblies of the chief men of the countless clans into which the tribes are divided, as the only visible form of authority tolerated. Combination must be voluntary, and of a type to exact a modicum of submission. These requirements are best answered by the confederation; such as the group of confederated *sheikhs* of Bellad el Kobail, the "country of the Highlanders" in mountainous Yemen, who, in 1790, established a republican form of union for defence against their more powerful neighbours. In the high Himalayan ranges west of Kashmir and north of the Panjab we find cradled the spirit of freedom, enabling the people to establish a federal republic. Here is the Shinaka district, which includes the Chilas, Darel, Tanger, and other valleys branching off from the Indus, and which is inhabited by Dards of Indo-European stock. Each Shinaka valley is a small cantonal republic, and each village of each republic is a commune managing its own affairs by an assembly. One settlement of only twelve houses enjoys complete autonomy. Besides the village

assemblies there is a State parliament handling questions of general policy, to which each village sends representatives. One dissentient vote can defeat a measure. The majority cannot control the minority; for, if one village of a State disagrees with the others, it is free to carry out its own policy; even in the matter of foreign alliances: here is home-rule run to seed.[1]

Patriarchal and Clan Organisation.—Among the Mongols and the Turkic races political organisation thus reaches deep into the patriarchal institutions of the pastoral life. The families, whose genealogical connection even the ordinary man can trace back over a long series of generations, are united in clans, called by the Turks *syok*, by the Mongols *aimak*, the firm nucleus of all political formations of a higher stage, which grow out of the tent community of families of five or six members each, which again is united as the *khoton* or *aoul* under the grandfather or other eldest male. Several *khotons* which pasture near together are held together by blood relationships. The pasture-lands are the communal property of the *aoul*, or *khoton*, among the Mongols. Property in land in the strictest sense is naturally known only to tribes like the Kara-Kalpaks, among whom the nomad mode of life has given place to agriculture. Among these people, who changed their home only on compulsion, the cultivable ground has been distributed among the clans; new-comers have to buy. From clans and stocks grows up the tribe, which the Mongols call *uluss*, the Turks *uruk*. Tribes, perhaps formerly united in one, are subordinated one to another by peculiar conditions of subjection. Thus the Yograis and Golyks of North Tibet form a single subdivision of the Tangutes, but live in separate territories; and the former recognise no lord of their own blood, but regard the chief of the Golyks as such.[2]

Important as is the clan organisation for the cohesion of society, it is of no little significance from a political point

[1] Ratzel: *History of Mankind;* Semple: *Influences of the Geographical Environment.*
[2] Ratzel: *History of Mankind.*

of view. Though revolts from chiefs of the tribe, and appointments of strangers to that high post, are not uncommon, the head of the clan stands immovably secure. The clan chiefs formerly served the tribal chief as first among his equals. The Kara-Kirghises, of all Turkic peoples the most patriarchal and monarchical, have an *aga-manap* or head chief, who convenes the clan chiefs or *manaps* to counsel on questions affecting the whole people. Like him, only less influential, is the "sultan" of the Cossacks. During peace Turkomans and Cossacks pay little heed to the authority of the chiefs; while Kirghises carry submission so far as to call themselves the slaves of their *manap*, commit their goods to him, and regard him as absolute judge. No doubt they expect some reciprocal sacrifices from him. He consults the greybeards of the clan on important occasions. From among the eldest men are chosen, when necessary, overseers of the water-supply, and of the use of the soil, and generally representatives of the public interest on points of *adat* or traditional custom.

Extent of Chinese Influence.—We now come to the Mongolian peoples of settled agricultural habits, and, in this connection, let us at the outset grasp the significance of China's intercourse with the East and the South, ranging from Japan to the Philippines, Borneo, the Malacca Peninsula, and remote Australia. In the Eastern half of Further India, which is grouped with China by land and sea, and whose race-stock is largely, if not purely, Mongolian, the Chinese influences are exceedingly well marked, so that the whole continental rim of the South China Sea from Formosa to Singapore is strongly assimilated in race and culture. Conditions of geographical isolation and segregation, as well as tribal warfare and movements under adverse circumstances, have perpetuated, among the group of Mongoloid races in the trans-Gangetic peninsula, a tribal constitution based on the matriarchal clan rather than the family basis. Even here the tendencies towards a metronymic confederation have been manifest, as we find among the Mon or Talaing race; this was encouraged by settlement in the plains of Burma, which finally led to their con-

solidation into a nation, possessing one of the historic empires of the East.

Chinese Family.—Resembling the Roman family in its essentials, and chiefly in the authority of the patriarch and in the central position of the family gods and their incorporation into the people's pantheon, the Chinese family did not dwindle into insignificance as the Roman family did with the development of Roman polity and jurisprudence, nor were the minor members of the Chinese family regarded as mere chattels as in the Roman, but they had their rights and duties well defined. At the same time the aggregation of clans by multiplication, fission, and coalescence proceeded on a communal basis, of which the family was the pristine source and type.

Chinese Paternal State.—The monarchical State was accordingly developed on the plan and pattern of a national family ("The Empire is one family") though preserving to the fullest extent the local liberties of the various heterogeneous local, communal, and tribal elements grouped round the ancestors of the village, or of the people as a whole, or, indeed, of the ruling dynasty standing in *loco parentis* to the people. The Chinese body-politic, as we have seen, still remained communalistic, inasmuch as whole villages and territories were left freedom to sign their own commercial charters and defensive agreements, to carry on education, sanitation, and public works in their natural social groupings, such as the village communities, clans, families, guilds, and the unorganised gentry, and even to discipline their armies for self-defence. The socio-economic organisation was developed on the basis of agriculture, industry, and trade, and essentially on non-military lines. The local and communal groups, religious and philanthropic associations, had peaceful commercial intercourse as their sole objective, to which the political and military machinery were subordinated, thus presenting a fundamental contrast to Roman and Semitic polity. This type of communalistic democracy was based on the idea of political equality between man and man, which could be realised only through education and ethical discipline under the

ægis of a utilitarian religion like that of a Confucius. In the Confucian system, the idea of "reciprocity" was the most important tenet; Confucius's catechism of moral discipline points out further that the duties of universal obligation are five: those between ruler and subject, between father and son, between husband and wife, between elder brother and younger, and those in the intercourse between friends. The performance of these duties is the *sine qua non* of good manners. Thus it was that here in China the State addressed itself to the task of maintaining harmony or concord of man with man in a well-ordered polity which could live and let live in amity with every other people and State. The vision of the Tae Ping (the Great Peace), however blurred and fanatical it came to be in contact with foreign aggression, was only possible in a democratic polity organised on the basis of peace, which knew no aggressive expansion and exploitation. Nor was this social concord broken up into caste jealousy and strife, as had been the unfortunate feature of Indian communalism, exposed as it was to a heterogeneous mixture of races and consequent over-emphasis of differentiation and segregation. But while in India local liberties were secured in territorial and communal groups by natural right in consonance with the Aryan social structure, and consequently could not be encroached upon by State aggression except by doing violence to the theory of the State itself, in China, on the other hand, the local charters and liberties were often trampled upon as a matter of history by emperors acting in the name of the ancestors of the people, or by local magnates acting in the name of the ancestors of the village or of the clan and the community.

Chinese Republic.—China, always republican at bottom, admitted into her democratic organisation the aristocracy of learning and letters, which governed her in much the same way that Europe was governed by the ecclesiastics; nor was the Chinese social democracy inconsistent with the unique prerogative of the imperial head, who in the Chinese sentiment is the father of the people. Now that China has definitely accepted the American form for the supreme

government, she is permeated by the republican spirit, which will make any restoration of the monarchy or a temporary dictatorship well-nigh impossible. But the dangers and difficulties of the situation to which China has been brought by the successive strifes of political factions indicate that something more than a paper constitution and electoral laws modelled after the West will be required to meet its urgent needs. The inveterate spirit of locality, which distinguishes the Eastern peoples, still pervades the whole political system of China, and the idea of a Chinese parliament, which may unite in its membership the various contending factions, will remain the fabric of a dream until the local democratic institutions are applied to the national government and the foreign institutions adapted to the peculiar needs and traditions of the different provinces. It is again doubtful whether a strong central executive and legislature can develop with the existing means of communication, and in the absence of effective expression of public opinion. Indeed, the virtual autocracy of the executive and the domination of the army testify to the truth that all forms of government to be successful must be adapted to the physical and the social background of the people. The student organisation in China, which has now permeated the nation, has assimilated the best democratic ideals of the West, and the hope of China lies not merely in the search of the new generation of students for a new system of thought and institutions which will be adapted to the old ideals and new conditions of Chinese life, but also in their efficiency, honesty, and idealism which are now working out China's new democracy.

Japanese Political Development.—Japan also is a type of the old purely social democracies of the East; though the monarchy, a development out of peculiar feudal conditions, still preserves something of its old religious character and its appeal to the social temperament and habits of the race. In Japan, the earlier conception of the emperor as a divine and mysterious figure, the Son of Heaven and the supreme and absolute fount of authority, has been maintained, and in recent years even augmented,

with the result that interesting social and political anomalies are still in force. Again, the Japanese, though giving up the customs of the *samurai*, have always prided themselves on having retained their spirit, and *bushido* chivalry is more than a compelling force in the new Japan, while the new bureaucrats who superseded the feudal nobility had a series of conflicts among themselves for retaining absolute control of the State; and, when resistance to a growing public opinion could not be maintained, they succeeded in establishing the officialism and the centralisation of Prussia.[1] The semi-feudal clans were abolished, and the whole country gradually placed on the footing of *kens* or prefectures, completely subject to imperial control. With the growth of democracy, the old local government system was renewed in new forms, and the popularly elected assembly was instituted, which the administrative officials were to consult before undertaking measures of any magnitude. Borrowing entirely from Germany, under the sway of Bismarck, Japan has introduced a centralisation which has brushed aside her original organs of local administration on a semi-feudal clan basis. Her recent experiments in Western forms of parliamentary and cabinet government have met with little success, while the traditions of her local and communal self-government have been hopelessly weakened by the political Europeanising of the active mind of the people, who want to fight with Western weapons the "white peril" in the East.[2] The first failure of parliamentary government is seen in the establishment of a cabinet which is independent of the parliament, and is responsible to and holds its office at the will of the emperor, whose prerogatives could delay or nullify the legislation of the parliament. As things are in Japan, the bureaucracy is practically independent of the diet. A large section of the work of government is carried on even without the knowledge of the houses, the government may not be embarrassed owing to trouble with the diet, by the inability of paying all monetary obligations; and finally, should the diet prove entirely

[1] Cf. McGovern: *Modern Japan.*
[2] Ghosh: *The Ideal of Human Unity.*

obstreperous, the government is in a position completely to ignore it.[1] Thus Japan has neither maintained nor developed the democracy of the village community, nor could institute the democracy associated with modern constitutionalism. The struggle between the old system of government of the *élite* and the government by political party has continued, and even to-day the contrasts between the struggle of persons and the conflict of principles or between responsible party government and the conservation of the imperial prerogative of nominating the ministry regardless of party, still appear vivid, and cause the problem of the future government of Japan to be very uncertain. The example of Japan has its lessons for both China and India, where parties have not yet grown to maturity, and where it will take a long time for the adaptation of the people's temperament to the requirements of party government, even if such government is desirable for its own sake.

Japanese Local Government.—In Japan, as in China, the family is the unit and norm of the social organisation; the local sentiment and communal cult have pervaded every aspect of life. But military and feudal organisation has been superimposed upon the patriarchal social structure, thus developing some characteristic features distinguishing it from the Chinese federal-communal polity. In spite of Japan's sudden adoption of the official trappings and mechanical devices of Western civilisation, beyond the vicinity of the treaty ports the country in reality has been little affected by foreign intercourse. The nation also has taken great pains to protect the ancient foundations of purely Japanese culture, the domestic and the communal cult, and the Confucian ethics. Recently there has been a marked tendency towards a renaissance of purely native sentiment and the restoration of many native traditions, temporarily shaken by the first impact of the West; there is even a prospect that the existing Civil Code of Teutonic origin may be raised and made to conform more closely to native customs and conventions.[2] The internal structure

[1] McGovern: *Modern Japan.*

[2] *The Times Literary Supplement*, November 2, 1922, reviewing Gubbins: *The Making of Modern Japan.*

and social constitution of the village also have remained intact, though the modern Japanese village is no longer an historical but a political unit, which covers a considerable district. It is a combination of clusters of *aza* (hamlets). Each of these *aza* has its local sentiment, and this local sentiment, when untouched by outside influence, tends to become selfish, narrow, and prejudiced. If, however, anything is to be done in the development of rural life, there must be co-operation among *aza* for all sorts of objects. These *aza* are themselves divided into *kumi* (companies). Each of these has a kind of manager, who is elected on a limited suffrage. The managers of the *kumi*, it is explained, are "like diplomatists if something is wanted against another village." The *kumi* also seems to have some corporate life. There is, once a month, a semi-social, semi-religious meeting at each member's house in turn. The persons who attend lay before the house shrine three or five sen each, or a small quantity of rice for the feast. The master of the house provides the sauce or pickles. Sometimes the *kumi* are again subdivided, and then these become the socio-economic units. Each village possesses, in addition to its land, some revenue as well as funds "against time of famine." "Jump land," for instance, consists of land subdued from the wild by strangers. The properties are regarded as belonging to the *aza* in which their cultivators live. When village rates cannot be paid, families undertake road-mending and other kinds of cheap work in lieu of the taxes. The following would represent a scheme of village taxation :—

Birth of a child, 10 sen (that is, 2½*d*. or 5 cents).

Wedding, 15 sen.

Adoption, 15 sen.

Graduation from the primary school, 10 sen ; advanced school, 20 sen.

Teacher or official on appointment, 2 per cent. of salary ; when salary is increased, 10 per cent. of increase.

When an official receives a prize of money from his superior, 5 per cent.

Every villager to pay every quarter, 1 sen,

On the basis of this assessment it is expected that after a certain period such a sum will have been accumulated as will enable the villagers to live rate-free. It is very characteristic that the scheme of local taxation exactly corresponds to that prevailing in the rural tracts of India, and that there is a correspondence even as regards the particular items of the tariff.[1] Both India and Japan now no longer believe that the road to progress lies plainly in the adoption of English and American institutions, and both have to recognise that the local spirit, which was considered to be the greatest obstacle in the way of the development of a representative government, can alone give that creativeness without which no form of government, however democratic, can be satisfying. Apart from the socio-religious character of the *kumi*, usually the smallest subdivision of the village, almost every village in Japan has its *ujigami*[2]; and each district of every large town and city also has its *ujigami*. The *ujigami* means the local tutelary god; he was formerly the clan god, but with the intermixture of different clans and the gradual change of the bases of administrative divisions from personal to territorial, he has become the patron god of a man's domicile. He is the symbol of the corporate unity, of the village or city or its different wards, of the diverse co-operative social functions. The village communities and the guilds still exercise very important administrative, economic, and social functions, and these are vitally connected with the historic, domestic, and communal cults.

Unlike the feudal lords of Europe the *daimios*, or feudal lords of Japan, possessed no absolute tenure of the districts over which they ruled. Local autonomy enjoyed by each

[1] Robertson-Scott: *The Foundations of Japan.*

[2] Formerly, under the *narushi* or *shoya*, elected village headman, there was an honorary official called *kumi-gashira* or *toshiyori*, whose duty was to act in the interest of the farmers. In other places the official called *hyaku-shodai* was elected, and his duty was to negotiate with the headmen on behalf of the villagers in matters relating to public interest. Similarly, in the cities of Japan, as in those in China and India, there were certain officials who discharged important administrative functions within the respective wards under their charge. All judicial and administrative affairs were managed by a popular assembly called the *kai-goshu*, and sometimes the free towns had even a standing army for service. For the history of local government in Japan, compare Professor Shimizu's essay in Okuma's *Fifty Years of New Japan.*

fief was exercised, not by the chief himself, but by his leading vassals. The *kumi-gashira* or head of a group of families, or the *nanushi* or headman of the village, directed the co-operation of villagers in emergencies of all sorts—fires, plagues, etc.; the common village fund was spent for purposes of poor relief, medical aid, help towards building or repairing the house of a farmer, proper burial, etc. Japanese political life was dominated by the mystic reverence for the symbolic imperial head, the Mikado, as the *pater familias* on the one hand, and on the other by the democratic proclivities of rural communities independent in the conduct and administration of municipal affairs. As in the Indian and Chinese social democracy, the government of these was social rather than political, and their headmen advisers or arbitrators, not rulers or judges.

Japanese Village and Guild Life.—Formerly village laws were framed by the peasants themselves; they estimated the possible amounts of the tax payments and made protest against harsh exaction. Their holdings were mostly secured to them by laws, forbidding the sale or alienation of family properties. If the wicked *daimyo* exploited the peasantry, the people resisted, especially when it was a case of a departure from precedent, and their resistance was fed by the religious zeal of voluntary martyrdom. Even now rules for the guidance of village community are still enforced by the village custom; minute regulations for co-operation during the outbreak of fire, the entertainment of travellers, the pursuit of robbers, the organisation of the police, etc., are laid down, and their violation by a particular villager is regarded as a sin, which may be visited by the wrath of ancestors. Similarly, in the cities, it was formerly possible for artisans and commercial folk to form strong associations by which military tyranny was kept in check. Even now the artisans, labourers, and apprentices in Japan are organised into guilds; most, if not all, of the guilds were at one time religiously organised, as is suggested by the fact that certain occupations assume a religious character even to-day. Each guild has its patron deity and rules of craftsmanship, and propriety cannot be

violated. The relation between artisans and apprentices, and between artisans and contractors, are still regulated by guild custom and usage. It must be admitted that the rules of art and craftsmanship enforced by the master craftsman have contributed not a little to ensure a high standard of artistic excellence and to secure easy conditions for the Japanese workman as compared with the conditions of mill labour.

Japan in Transition.—Indeed, the social, economic, and administrative life of the Japanese offers numberless suggestions of the mode in which the people continue to think and act by groups. In spite of the so-called Westernisation of Japan and the official abolition of her ancient social groupings, the domestic cult and the communal law wield a decided influence, still preserving the communalistic nature of the body-politic. Japan is now in the throes of a mighty social revolution; whether her local and communal life, which has hitherto promoted municipal creativeness, as well as her local art and craftsmanship, can be incorporated into the substance of the national State even as the worship of imperial ancestors has become to-day the national worship, still remains in the womb of the future. Meanwhile, the break or discontinuity in communal life and tradition has brought about a good deal of social stress and individual suffering; while her old feudal tendencies and the modern incubus of economic and military competition with the great powers of the West have inhibited and often challenged the natural course of her social and political evolution.

Cambodian Politico-Religious State.—The social organisation of Further India is not so elaborately bureaucratic as that of China. The great importance of the nobility reminds us of Japan; and in Cambodia and Burma we have Indian institutions, of which there is also a glimmer in Siam. In these countries the people consist of individuals who work and earn for themselves and for the State in comparative freedom and independence. The Cambodians in particular show great internal cohesiveness, while their organisation of the family is very strongly knit. The monasteries, temples, and pagodas are the social centres

often frequented by the gay and religious Cambodians. In front of the pagoda there is the *sala*, a public hall which is the centre of local administration, though this is used also as a meeting-place for monks and as a shelter for travellers. At the head of the political organisation stands the king, who governs with the help of a council of five great mandarins. Cambodian society next to the king is no longer made up of castes but of classes, very clearly defined, and often very exclusive. The king is also the temporal head of Buddhism in Cambodia. The heads in spiritual matters are two monks. Each superintends a monastery, and they rule almost equal parts of a kingdom. Under them are the elected provincial superiors, the abbots or heads of monasteries. The members of this hierarchy possess purely disciplinary power, and are in no way subordinated to each other. The Cambodians are very hard-working and patient in rural districts, and their morals are stricter than those of most other peoples of the Far East. The Indian proclivities of the royal court are seen in the coronation ceremony, when the *barohet* (*purohit*) *bakus* pour the lustral water of investiture ; ethical and religious ideas have also been greatly affected by Hinduism. They bear a strong impress of both Chinese and Indian civilisation, though the official religion of the Khmers is Sinhalese Buddhism. The Khmer penal law is extremely rigorous. Legal proceedings are slow and involved. Accused and accusers have the right of being represented at the tribunal by a kind of advocate, and fines are divided among the judges, the royal treasury, and the plaintiff or prosecutor, if any. The monks, however, wield a greater social influence than the civil judges. One day in the year all the inhabitants of the province or village, headed by their chiefs, proceed to carry to the pagoda the presents which the governor has bought with the money of the faithful. Behind come the governor and the mandarins, with all the insignia of their rank, then the women, in hierarchical order, all grouped behind the chief wife of the governor. There are also pilgrimages of a whole village or district to some famous pagoda of other villages, which provide rejoicings in honour of their pious guests.

Annamese Bureaucratic State.—In Annam, the Chinese influence is unmixed. As in China, the idea of collective solidarity, the conception in groups, has legal consequences. The masses retain their preference for ancestor-worship, and the cult of the family has as important social and political effects as in China. The Annamese see life not in individuals but in groups : the family, the home, the occupation or the village, and the communal standards emanating from the pagodas, or the temples of the educated or the palace, rule the classes, the officials as well as the masses. Towns large and small have separate subdivisions, the quarters of the priests, officials, and soldiers, while the square stands in the middle, and within this the square of the palace. The monarchy in Annam and Tonking is rather democratic—a bureaucracy with a prince at the head. This is the Chino-Japanese conception of the State, which ensures the subject lavish protection, great quiet, and free movement. An Annamite canton, says Letourneau, copied from China, enjoys an independence which the most audacious reformers would not dare to claim for the communes of France. It manages the communal land, keeps the title-deeds of private properties, makes out its own register, divides amongst its members the land-tax, enforces labour for public works and military charges, keeps up the roads, manages the local police, and tries in the first instance civil and criminal cases. The royal judge only decides appeals. In a word, as M. Lanessan, from whom Letourneau borrows this information, says, in Annam the individual is protected by the canton against the State, and by the State against the canton. There is a good deal of communal autonomy, of personal liberty, and of promotion by merit. Officials must have held a certain rank in the army, attained a certain degree of erudition, and passed an examination before nomination to their posts. As in China, the art of the pen (or rather brush) opens the road to the highest dignities.[1] Officialdom in Annam possesses a secure basis, for under the *huyen* stand the individual village presidents, and for

[1] Articles on Annam and Cambodia in the *Encyclopædia of Religion and Ethics* ; and Ratzel : *History of Mankind*, Vol. III, p. 426.

many purposes a number of villages form a district. In general the French have retained this system, replacing only the highest official by administrators. The village president is elected for a year by the council of elders, and confirmed by the governor. At his side, though really above him, is the village council, consisting of hereditary members, whose decisions he has to execute. The village president has to keep two registers.

Further Indian Races—Siam and Burma.—The subject races of Further India have indeed been decentralised in a way which does credit to the statecraft of the local great powers. Every village—and their villages assuredly never number 100 souls—forms a centre for itself.[1] Indo-Malaysia contains such advanced mixed nationalities as those of Burma and Siam, and also contains (as indeed does Southern India) some of the most stationary people in the world in the shape of the Asiatic Negro (such as the dwarf Negroes and the Papuans of New Guinea). Much of the indigenous type of government has been weakened either by foreign conquest or encroachment. While Britain was acquiring the Burmese territories, France possessed herself of a still larger territory on the Eastern side of the Further Indian peninsula. In Indo-China there are constant abrupt changes of administration according to the fancies of the governors—there are certainly enough of them at Hanoi, which is responsible for much inefficiency.[2] Aggressive encroachment against Siam and the Shan States raises up obstacles to the peaceful development of vast tracts already acquired. Siam indeed owes a precarious independence to British and French rivalries, though her system of government is not backward, or primitive at all; all the other countries in the South-Eastern peninsula have lost their independence. Burma is part of British India; the provinces of Tongkong, Laos, Annam, Cochin China, and Cambodia are united in French Indo-China. The Malay peninsula is divided between Great Britain and Annam. In social life Siam is Brahmanical, and in her

[1] Cf. Ratzel: *History of Mankind.*
[2] Cf. Dautremer: *Burma under British Rule.*

mode of government and her laws she is Chinese. The communal organisation of her social and economic life and the communal maintenance of monasteries and schools and works of public charity are nowhere better observed. Local administration here preserves an autonomy still unimpeded. A district is divided into villages under a village headman, and the villages are subdivided into hamlets under an elder. A hamlet is a collection of about ten houses or 100 persons, who elect their own elder under the presidency of the district officer. The ballot may be either open or secret, and a bare majority is sufficient. The duties of the elder are to report any cases of crime to the headman, and to preserve a register of persons in his hamlet, to summon them in cases of flood or fire, and to assist in arresting criminals. All the inhabitants are bound under penalties to assist their elders in the execution of the law when called on. A village consists of ten hamlets. The headman is elected by the council of elders, and receives confirmation from the governors of the province. The origins of the Siamese local government system are still obscure. One can trace Indian as well as Chinese influence. It is significant that in the higher departments of the State the names of the officers correspond with the titles of those in India in the early medieval era. This is also partly applicable to Burma, where the influence of the old Brahmanism (introduced with Buddhism) is manifest in some of the ceremonials of the royal court and in the worship of the white elephant ; but it is difficult to trace the customs or social institution definitely to Chinese, Indian, or aboriginal influences, which have all relieved one another. The village community was in Burma the unit of the administration. The *thathameda* or house-tax was assessed per household. The *ywalugyi* or village elders met together in conclave, usually sitting *coram publico* on a wooden dais erected under the shade of some large and spreading tree in the middle of the village ; and here they arranged among themselves the amount to be contributed by each individual householder towards the entire satisfaction of the demands of the royal treasury. Sometimes village assessors called

thamaḍi were appointed by the elders. Subject to the payment of the royal demand in the shape of a house-tax levied on each town and village of about ten rupees per house, these village communities were left very much to themselves to be administered by the headman, *thugyi*, or the *saya*, wise man, and the elders, *lugyi*, of the people. There are popular collective efforts to scare away evil spirits, and village-saving ceremonies in times of epidemic, which the village elders manage. The village or town guardian spirits preside over popular weal, and they are worshipped with as much feeling as in India, while village ostracism for adultery, etc., is as prevalent as in India. After the annexation of the kingdom of Ava, this simple and effective system of administration, which was well-suited to the Burmese character and a natural evolution of their former political system, was retained under the Upper Burma Village Regulation Act (1887). Subsequently the Lower Burma Village Act was passed in order to re-introduce so far as possible into the Southern portion of the province the old village community system, which had fallen into disuse and had been supplanted to a great extent by other methods owing to the lines of administration followed after the annexation of Pegu and Martaban in 1852. Rural administration in Burma has had as chequered a career as in India, and it is only recently that we find a well-considered attempt to utilise the indigenous habits and machinery for local self-government.[1]

Eastern Local Self-government.—The ubiquitous village councils, the communal and functional bodies intersect one another in their functions and jurisdictions, and they all have a place assured to them in the peaceful democratic life of the Eastern peoples, who are accustomed to manage their own affairs in their self-governing village communities, guilds, unions, and brotherhoods; the headmen, elected or hereditary, and the elders are there to advise and not control, to arbitrate and not judge. This silent democracy may not have been efficient in creating powerful organs of centralised control, but it has evoked an ever-active responsible

[1] Cf. Nisbet: *Burma under British Rule.*

sociality. Above all, it is the characteristic product of a long ethnic development, the bedrock of the existing social control, to which all political experiments in the East must be adapted in order that these may be successful.

Self-determination of Immature Races.—Social democracy is not of one type and species, and political evolution will be delayed by heedless imitation or a forced process of substitution. If political self-determination is to have any meaning, ignorance and prejudice have to be overcome, and an attempt should be made to eschew not merely the process of political exploitation, but also that of thwarting and threatening the natural course of the political evolution of the less organised peoples and regions. For immature races and cultures both science and humanity will reiterate the supreme claim of self-determination and the truth in every sense that "nations are by themselves made." The League of Nations or a mandatory power should extend a guiding hand rather than an all-sustaining arm, directing, under the regulative ideals of an extended Eugenics of Race, this adaptation of the political habits and traditions of the particular regions to the more complex and expanded political needs of civilisation. Thus whether alliances or mandates, whether the gospel of the "White Man's Burden" or the ideal of the British Commonwealth, each political adaptation must be governed by the dictates of Ethnologic and Comparative Politics working hand in hand in the field of international adjustment with the scientific humanitarianism of the future.

CHAPTER XII.

THE VILLAGE COMMUNE IN ANCIENT INDIA.

History and Current Problems.—History with many of us in India has a way of numbing generous emotions. All things we had ; they are of little avail now ; we can expect little of them in future. A lukewarmness develops into a contempt of the past, in the case especially of those who think to dispose of the future. Yet we can have little security without a sense of the dependence of the present upon the past. History, like all true knowledge, is an aid to the solution of present-day problems, though it does not provide specific answers to specific questions. In the past we built a shrine. History provides the experience for building a shrine again within us, but does not build it. If we have the site, the clay, the bricks, and the mortar, we can rebuild it. Recent Indian studies in our ancient democratic institutions and public administration give us a good deal of data, all of which, however, have been neglected in our present-day politics ; the historical sense seems to be absent within us ; we think we can make whatsoever we will of the land we inhabit, but did not create.

Vitality of the Indian Village System.—The vitality of the old communal village system of the land and the large jurisdiction exercised by local bodies and assemblies, exuberant in their growth and variety, have been the surprises which a recent work, Dr. Radhakumud Mookerji's *Local Government in Ancient India*, has offered. We find here Lord Metcalfe's well-known observations once again reiterated ; and the efficacy of a democratic system of rural polity in extending and preserving one of the oldest of the world's cultures through a broken and chequered political

history, demonstrated by thoughtful and scientific research. The immediately practical interest of such a work lies in the lessons which past annals furnish for the present difficult inquiry into the needs and forms of Indian government, but we refuse to profit by it. While researches such as these are accepted as proving that Hindu society was capable of evolving a highly vigorous system of co-operative village administration, the melancholy "fact" is adduced without much evidence that the local institutions are "dead and buried beyond the possibility of resurrection" (*Times Literary Supplement*, reviewing the book). The dictum that politics is the fruit of history insists upon the attempt to benefit from past political experiences; at the same time chauvinistic and other "tendencies" should not be permitted to warp enquiry into existing facts and conditions, as well as judgment with reference to building the future on them. The methods of rearing a political constitution on the foundation of existing local juridical bodies and village assemblies would receive readier solution in the hands of history, the more the present inquiry is unbiassed and discriminate.

Indian Village Government, Past and Present.—Throughout the course of political evolution in the past, and throughout all the vicissitudes to which the land has been subjected, the Indian village assemblies—in some provinces until late in the eighteenth century—have enjoyed a sort of semi-independence. India, like China or Russia, had been a land of myriads of petty republics, and, though their autonomy and scope of jurisdiction shrank from time to time with the rise of a strong and influential kingdom, and the location of *kardars*, *jagirdars*, capitalists, and guarantors of State revenue in the neighbourhood, the village assemblies were left to enjoy their autonomy as long as they collected the revenue or tax (which they themselves apportioned among the inhabitants) and sent it to the royal treasury. The supreme government dealt with the village assemblies, not with the inhabitants. Time, joint burden and responsibility, and the advantages of agricultural co-operation, cemented the different elements of the village

together, and one of the well-known types of the village community developed itself, perhaps streaked with local peculiarities. The village assemblies looked after revenue collection, economic management, and the administration of justice, both civil and criminal. The State in India, as Dr. Mookerji vividly reminds us, throughout recognised the precedence of these village communes by treating with them "more or less on terms of equality," and by paying great deference to the village headmen. A most interesting inscription (ninth century) is that in which some chiefs who are at war with one another enter into an agreement with a village headman to look to the peace of the villages under their protection, and to pay a fine of 100 *panam* if any villager is injured. The king had to respect the laws of the local bodies, and interfered only in cases of gross mismanagement or embezzlement of communal funds. South Indian inscriptions seem to show that the village assemblies were the absolute proprietors of the village lands. All property, excepting what was reserved as crown land or dedicated to temples, was regarded as belonging to the village assemblies, not to the State. New clearings and reclamations of virgin lands went to the village assemblies and not to individual proprietors, as also lands abandoned for crime against the village (*grama-droha*) or arrears of dues. They also sanctioned settlements and assessed the taxes, and were authorised to confiscate and sell the lands, if taxes were unpaid for full two years (No. 29 of 1893). Some inscriptions give examples of "double transactions," *i.e.*, the king grants certain lands tax-free, and then the temple authorities have the charter engraved by the villagers and the remitted tax deducted from the village accounts (Nos. 540, 541, 542 of 1911). The rights of village self-taxation, recognised by the State through long centuries, still linger in the South, and this alone can explain, not only the existing variety of taxes and sources of village communal funds, but also the rights the South Indian villagers still want to exercise over the *samudayam* property, both lands and fisheries.

South Indian Village Assemblies.—Three classes of

village assemblies have been said to exist in the South: those of the general body of residents in a village, which were called *urar*, and those of the merchants (and professionals?) called *nagarattar*. The district assembly, *nattar*, was also a body which met when, perhaps, subjects touching the interests of the whole district were discussed, or where there were no *sabhas* to represent the villages within the district (H. Krishna Shastri). There were qualifications laid down for membership. The assemblies met perhaps in the *sabha-mandapams* of the temples or under the big *pipal* or olive tree, on the platforms where were also installed the *nagas* sitting in judgment over right decisions or charitable gifts. The Brahman *sabhas* were ordinarily communal local assemblies, governing every kind of interest in the villages, but would form local associations for other purposes; merchants and traders (*nagarattar*), villagers and district representatives (*nattar*) were spoken of as joining (No. 14 of 1906). These assemblies split themselves into district committees to watch the interest of the gardens, wet and dry fields, tanks and irrigation, tolls and shop-rents, waste-lands and their reclamation, the regular management of temple services and charities. Even now village assemblies in the Tamil country are seen as of old managing not merely common village lands or temple lands, levying fees or cesses on purchase and sale of goods for common purposes, such as irrigation, sanitation or communal recreation, but also advancing agricultural loans out of *padupanam*, and deciding all petty cases which otherwise would have gone to the courts. Nor is the segregation of caste-government so marked as to inhibit the active participation of all castes in the village councils as in the past.

Origin of Indian Village Polity.—The elements of ancient Munda-Dravidian culture first mingled together to produce the compact and efficient village system: this was assimilated and comprehended by the political institutions of the Aryan village community which formed the foundation of Indo-Aryan polity. Thus was evolved the conglomerate structure of the Indian village communities, knit together no longer by tribal customs or motives of self-

interest, but by common ethical and social ideals worked out in a deeply humanised and socialised life by the abiding instincts of communalism with which these races have been so richly endowed.

Village Organisation.—The aboriginal or the Aryan unit in India was the village. About the differences between the primitive Dravidian and the primitive Aryan village, about the early growth of law and the subsequent growth of a quasi-feudal society, a great deal might be written. But it is worthy of remark that in the old as well as in the existing form of Dravidian and Munda village there is developed a compact tribal organisation under a more or less centralised government; the tribes are subdivided and grouped into village communities, each under a headman, who allots the land within the village area, and settles any disputes as to the location of any family; there is a hierarchy of village officers, who look after tribal morality and the equable distribution of land; there is an elaborate establishment of lots or holdings for the headman, the priest, the deputy or accountant, and a staff of artisans and employees. The village sacred tree or grove, the village deity and the village dance or festival symbolise the unity of the village settlement; while a group of villages or tribal territorial divisions unite to form a larger territorial unit comprising from ten to one hundred villages—a confederacy meeting in assemblies to confer on any important matter that concern several of the village in common. In every village there seems to have been a more or less distinct plan or method of location and of allotting different holdings. When new settlers were to be admitted, there was a redistribution of lands, and the holdings, for which reservoirs were created by a dam or by supplying irrigation for the terraced rice-field on the hillside, were regarded as permanent.

Indian Land System.—But everywhere the claim to property in waste-land and the custom of a periodical redistribution of lands was practised. In South Indian communities, as well as in the Munda-Dravidian villages in South-West Bengal, the shifting tenures with the accompanying periodical divisions of land are still to be traced.

Thus, though Baden-Powell is right in ascribing the formation of villages to the tribal constitution and system of land administration of the Dravidians, he is clearly mistaken in denying the connection of the original and essential "*ryotwari* village" with collective village ownership. Full of theories derived from Maine, Baden-Powell deduces collective village ownership from the joint family, and his study of North Indian village communities with collective ownership of land held in ancestral shares confirms his hypothesis. Yet it cannot be gainsaid that tribal conceptions of property as well as collective village ownership are true not only of certain tribes such as Biloches, Pathans and others and Rajputs, Gujars, and Jats in the Panjab and the North-West, but also of the autochthonous Munda-Dravidians in Chota Nagpur, Western Bengal, Central and Southern India. Baden-Powell's contention that the earliest settlers in India had no ideas of common tribal ownership and that individual property was the rule even in early or primitive land settlement cannot be accepted. It is true that we do not find at present communal ownership among the Munda-Dravidian tribes, but the custom of periodical distribution of holdings equalising the fertility of different lots of land is often discernible among them, while the jealous maintenance of the rights of the whole tribe or its sections over the uncultivated wastes cannot be explained away in the way it has been done by Baden-Powell. Among the Santals there existed or still exists an actual custom by which they give up all their lands excepting their house-sites at the end of the Santal year, and only resume individual possession after getting the sanction of the *panchayat*. Again, the periodical distribution of holdings held by non-privileged families and settlers and a regulation of rights in the common forest or sacred grove, which still remains intact in Chota Nagpur and Coorg, can still be traced. Everywhere among the Dravidian peoples, plots of land are set apart from the common village settlements for village officers, artisans, and servants, and this has affected the land distribution especially of Madras, Bombay, and the Central Provinces. Indeed, in the *ryotwari* villages of the South, where we have the Dravi-

dian preponderance, these are ancient and original features, as is admitted by Baden-Powell himself. There are also survivals of village customs showing a difference of rights in the common lands between original settlers and strangers, and even as regards the fresh distribution of the village reserve lands by the village councils, so that it may be possible to satisfy new settlers or persons needing larger holdings without having to disturb the others. Again, the distinction Baden-Powell draws between joint ownership of a village and the possession of the village commons and grazing grounds and other traces of original clan properties, or the custom of a periodical distribution of the tillage lands or the fallow, is refuted by economic history, which often finds them as inseparable stages in the evolution of property and of early village forms in different countries. Indeed, Baden-Powell's obsession with Maine's emphasis of the joint family ownership prevented him from giving due consideration to the elaborate agricultural and grazing customs, forest rights, and irrigation rules of the Munda-Dravidian peoples, in which are to be sought the real origins of Indian land settlement and agrarian distribution. The Dravidian communal tenure and organisation have been obscured by the Hindu codes of property as well as by feudal and other tendencies which developed even among some of the Dravidian tribes, as the Gonds, for instance, in Central India ; but they still remain the original bedrocks of the Indian social constitution, while any contrasts between communal proprietary usages of the rice-growing Munda-Dravidians of the South and the individual (or family) property customs of the wheat-cultivating Aryan stocks were softened by long settlements and the inevitable exigencies of rice cultivation in the plains of the country. In the Aryan settlements throughout South India there still exists, in spite of the emphasis of the sacred rights of individual family households, the collective ownership over common lands, irrigation channels, etc., called the *samudayam*, which is independent of the joint family law and economy. This is similar to the ancient customs relating to common ownership of land in the Indian village com-

munity described by Strabo in Northern India. Indeed, among the agricultural tribes of the North, where the Aryan influence was the strongest in spite of the emphasis on rights of family property, we find ample evidences of common rights over the adjoining forests and irrigation channels, as well as traces of early clan properties and periodical divisions, as in Southern and Central India and Bengal, while the law of pre-emption, which we find even in the ancient codes, also points to a fact of communal ownership, though it is difficult to refer it to Aryan or Munda-Dravidian sources or to the conditions of Indian agricultural geography. It is these latter which have perpetuated communal tenures and agricultural usages amongst different stocks, Negrito or Dravidian, Hindu or Muhammadan, and checked that emphasis of private rights which has been made so much of by Baden-Powell with his pronounced bias against communal origins in social anthropology. It is very probable that the rice-growing races of the South, among whom the institution of the communal holding of land with periodical redistribution of the fields is inherent, took to Northern India the custom of communal ownership along with the *panchayat*, the appointment of which was the effect of the system of shifting tenures Wheat and barley are associated with individualistic as rice with communalistic organisation of agricultural society. Wheat cultivation came first to Northern India with the Aryan stocks, with whom land was held as the family property. They did not live in contiguous huts like those of the Dravidians, but the whole family lived together in their own homestead. As both these principal crops have grown together ideas of individual and communal proprietary rights have intermingled in the North, though there preponderates here the rule of individual (or family) property in land which distinguishes the *bhaiachara* and *pattidari* systems of tenure. The gradual process of Hinduisation, again, implies the supersession of the Dravidian promiscuity by the institution of the joint family, and thus the development of family rights in many places has eclipsed the old communal customs in the *ryotwari* villages of the South. Yet the central point of the village,

the original grove and waste land, still remains. It was the centre (and still is so among the Mundas) where all village children were begotten at the seasonal feasts; and, when the marriage bond replaced the Munda-Dravidian promiscuity, the custom still persists in Bengal and Bihar of marrying the bride, and sometimes her husband as well, to the parent tree of the village. The *panchayat* still sits under the shade of the village tree, and there are images near by of the guardian deities of the village as well as of the Dravidian boundary snake which encircles the village limits, in whose presence the annual partitions of land were formerly made and in whose name oaths are still taken in village land disputes in South India. It was also the centre of the central village of the Dravidian tribal division, the *parha*; and, when *parhas* grew into kingdoms, the king's province was the centre of those ruled by his vassal chiefs. This is more clearly discernible even now in Central India and Malabar than elsewhere.[1]

Types of Village Development.—The regular institutions of Dravidian autonomous villages, unions of villages and territorial divisions, of which evidences meet us everywhere, show different degrees of social and economic development in different regions and among different stocks under different geographical and historical conditions. In some tracts the original Dravidian agricultural holdings were supplanted by over-lord tenures on a feudal basis with their connected fiefs and minor holdings, and this especially in inaccessible mountain fastnesses and forest regions; while in some broad and fertile plains, as in the South, when the difficulties of clearing the jungle were once surmounted, everything would be favourable to the development of an elaborate organisation of rural self-government, which a powerful monarchy had to tolerate in its own interests. Thus the Indian village, in a crystallised form, has survived the feudal tendencies which grow from within, the encroachment of a centralised kingship as well as the successive foreign invasion and their resulting over-lordships. In the successive types of village rule its headman has always

[1] Hewett: "Origin of Indian Land Tenure," *J.R.A.S.*, 1897.

been adopted as an integral part. As a leader of the party of settlers the headman had a special holding set apart for him, and the territorial chief was also supported by another lot of land in each village, the entire produce of which went to him. This latter plan, however, was gradually superseded by the chief taking a share in the grain produce of all lands, excepting the village headman's and those of certain other privileged settlers. This share in the grain became the principal source of State revenue, and is the parent of our modern land revenue. With the introduction of the grain-share came the appointment of a second official, the prototype of the *patwari* or the *karnam* (the *karnam* is a name very common in Madras, and has been changed into *karan* in Western Bengal), and he also was remunerated by an hereditary holding of land. It is these ancient holdings that were afterwards called by the Muhammadan rulers *watan*. All the *watan* lands and the various privileges and dignities associated with them constituted a family property which was capable of descending to a number of heirs jointly. Further, in each village there grew up a staff of officials, artisans, and employees who became hereditary and served the village, not for payment by the job (such a thing, of course, was unknown) but for a regular remuneration, paid in kind, chiefly by a fixed share in the harvest. Conquest or usurpation, or Muhammadan dominion and grant, introduced many grantees and other superior holders of estates whose successors remain to this day. It is very significant, however, that the Muhammadan land-holding villages and tribes in Northern India generally follow the custom of family land-holding. The Muhammadan law of inheritance is not much adhered to, the joint family system is observed; thus the forms of Muhammadan joint villages are strikingly similar to the Rajput, Jat, and Gujar villages in the North, though there are varieties of joint villages, whether tribal, "democratic," or held by the joint descendants of "aristocratic" founders, as the prevailing tenure from the plains of the Indus to those of the Ganges and the Jamuna. In any case, grant or conquest or usurpation has always created over-lord tenures bearing down the rights

of an earlier joint community, who once had the village lordship, and are now gradually reduced in their turn to being inferior proprietors. Thus have been created in every province of India subordinate or inferior interests in particular plots and fields, and sometimes interests extending over the whole of the older cultivation if not over the whole village area. It would be an interesting task for a sociologist to analyse each of these elements, Dravidian, Aryan, or Muhammadan, to indicate its respective marks on the structure and composition of the village assembly, the caste *panchayat*, or the tribal organisation, or on the systems of agrarian settlement and distribution and the methods of cultivation or communal rights in land in the different provinces and among different stocks and strata of Indian society, or again on the plan and structure of the village and the temple, determined by ritualistic and symbolical principles still active in different parts of India.

Persistence of the Ancient Indian Village System.—Be this as it may, the vigorous system of co-operative village rule, to the manifold and complex growth of which all the elements of Indian civilisation have contributed, was already a tried structure of venerable antiquity when the Anglo-Saxon invaders were first establishing their self-governing villages in Britain in the fifth century A.D.; and has survived to this day all usurpation, conquest, or shock and collision of the forces of history. The Anglo-Indian land-revenue system is the most recent of the forces of disintegration, but has only eclipsed, not superseded, the strength of the village community and of its assembly. The policy of direct relations with the individual *ryots* in matters of land-revenue—a system which has been long in force under the British ægis in Madras and Bombay, and which is tending to substitute itself for the old joint proprietary *ryots* in the United Provinces—has worked as much mischief as legislation and administration on an individualistic basis, or the establishment of local civil and criminal courts, but has not entirely suppressed communal interests and the regular village system, which is still rendering useful service. The Board of Revenue, Madras, making a last protest against

the introduction of the *Ryotwari* Settlement, which in their opinion threatened to break up the community of interest on which the village system depends, once remarked: "To dissolve this unity of interest and common stock of labour by requiring each to take, instead of a share he possessed and owned, a defined part of the whole land of the village, would not be very different from dissolving a joint stock company in England and requiring each proprietor to trade upon his own portion of it, in order that it may be separately taxed." But the dissolution has continued since in the interests of a bureaucratic system of revenue collection and management, though the village system, notwithstanding, still retains its unity. Throughout the country the village assemblies are still administering village affairs, finance, and justice. Neither Mauryan bureaucracy, nor Muhammadan inroads, neither the centralised administration of Akbar or of Aurangzeb, nor the modern British *ryotwari* or permanent settlement, have obliterated the traditional rights of the village communities as described in the *Arthasastra* or the *Sukraniti*, though the tendencies of British rule have been most disintegrating and disruptive so far as the village system is concerned. The village assemblies are still to be seen administering public property, *e.g.*, that of temples and village endowments, and forming a court of justice for the decision of small civil suits, such as the boundaries of lands, and for the trial of petty offences, such as larceny and assault. All this persists and represents a continuity of traditions described by Kautilya (*Arthasastra*, Book II., Chap. I.). The officers of the village mentioned by Sukra, viz., the headman, the superintendent of police, the revenue-collector, the toll-gatherer, the clerk, and the watchman, are still to be found in full complement in many parts of India, but their independence of authority and autonomous jurisdiction are no more. Formerly the village officers were not subject to vexatious interference from the central administration. The king's officers "must live" outside the village (*Sukracharyya*, V., 179), and did not ordinarily interfere with the administration of local affairs excepting when their counsel was invited, though occasionally they called for the

village accounts and adjusted matters relating to temple endowments, common funds, the collection of village cesses, etc., when any complaints were forthcoming. But cases of close inspection and interference are the rule rather than the exception under the present system. In the Muhammadan period it was not the invasions, the internal wars, or the dynastic revolutions, but the pernicious system of appointing revenue agents and officials—too often outsiders and strangers from the imperial or provincial courts for the collection of the imperial revenue—that affected the political influence the village communities possessed under Hindu rule. But local autonomy was preserved under a government, almost entirely fiscal like that of the Muhammadan. Sir William Hunter says: "This separation has stamped itself in the language of the people. The terms for the village and its internal life are almost everywhere taken from the vernacular Indian speech; but beyond the village stretched the Persian *zila* or district, and, beyond the *zila*, the Persian *subah* or province, whose capital formed the residence of the remote government or Persian *sarkar*." Even under the beneficent Akbar, though the village elders were not treated in terms of respect which belonged to independence, they were entrusted with complete freedom in the management of local affairs; while in the South, where the long and effective hand of Muhammadan administration could not reach, the village assemblies enjoyed considerable autonomy until the British ascendency, imposing fines for breaches of communal laws, and even having jurisdiction in cases where capital punishment was involved, and which were decided by the assembly of the whole *nadu* or region, presided over by the king's deputy. It is very characteristic that in the South some of the terms of the *Smritis* connected with local government still linger, showing the abiding influence of Indo-Aryan culture on the Dravidian polity. Such words as *sabha*, or *samuham* (village assembly), or *maha-mukham*, *kula* (caste assembly), *vadi* (plaintiff), *pratibadi* (accused), *pati*, *desha dhe pati*, *senapati*, *pradhani* (also found in Central India and South-West Bengal), *buddhimanta*, *kula-ejman* (headman of caste or village),

kanakan (accountant who deals with gold), *grama-panam*, *grama-samudayam* (village funds), *kariasthan*, *prabartikaran adhikari* (secretary), *dharma-mahimai* (portion of profit set apart for religion), *samuha-matham*, *mula-parishad*, *simetoka*, are culled by me from experiences of the present-day rural administration of Tamil and Telugu districts, of Travancore, Malabar, and Coorg. The Dravidian terms in this connection are too numerous to set forth: the institutions are similar in their nature and procedure to those of the North. Neither Muhammadan nor Dravidian emperors, neither Mahratta nor Karnatic rulers, could eclipse the strength and prestige of South Indian rural democracy, which also to-day is showing the sturdiest resistance to disintegrating forces and circumstances. It was indeed a surprise when in a Brahman village I saw a *samuham* (a *Smriti* word and institution) owning common lands (*samudayam*, again a *Smriti* word), worth a lac of rupees, maintaining a guest-house, a temple, a *Veda-pathsala*, and arranging out of communal income for *sahasranamajapam* and the recital of the Vedic hymns, *kaveri-puranam* and *bhagbatam*, and of the incantations from the *Atharvaveda* during times of epidemic as well as for the periodical festivals of Saraswati, Bhagavati, Ganesa, and Sastha; for poor relief, feeding on *dwadashi*, *upakarma*, and *gayatrijapam* days and the performance of the funeral ceremonies of the destitute. On auspicious occasions like *jatakarma*, *namakaranam*, *annaprasanam*, *choulam*, *upanayanam*, *vivaham*, and *simantam*, a small fee is charged which goes to the *samuham*. Every group of ten families has a vote to elect a member for the assembly (*sabha*) which consists of thirty members. From out of these the executive committee, *nirvaha sabha*, of nine is appointed. The president, *gramani* (a word commonly to be met with in Vedic polity) and the secretary, *kanakan*, are members both of the committee and the general assembly. This is the traditional village organisation of Indo-Aryan polity described in our old *nitis*; and this, along with the technical names of the officials and bodies, has survived so far South as Travancore, where the process of centralisation is not less marked than in British India, and the village

parbatikarans are often imported by the native government from outside, strangers to the village community. From North to South, from East to West, nothing can show better the fundamental cultural unity of India.

Indian Political Survivals.—The rights of the Indian village community, which were jealously safeguarded before, but now as jealously are encroached upon, have not disappeared, even as the central tree and the platform, the tank, and the shrine, with associated public hall and court and the guardian deity of justice installed therein, have survived, enduring monuments of a democratic polity and of a socialised religion with which this polity is so closely bound up. They are too old and deeply-rooted to fall a prey to only fifty years of a powerful and centralised administration. But not merely in villages. The principle of self-government still operates also in craft-guilds, banking and mercantile corporations, and religious organisations in our cities. The informal customs and laws of such myriad bodies and associations also represent a continuity of historic traditions embodied in our old legal literature. Similarly the federation of a group of local bodies, either village communities or guilds, still survives.

Villages in Federation.—Indian political evolution does not stop, as is so often alleged, with the history of the self-governing village. We have instances of the union of villages in a larger political and administrative organisation. In inscription No. 600 of 1908 the great assembly of twelve *nadus* at Tiruppidavur is referred to. There is also another reference to the assembly of the inhabitants of Vallu-nadu, a subdivision, which declared that thenceforward they would afford protection to the cultivators residing within the four boundaries of the sacred village of Tiruvarangulam and its *devadana* villages. If any one of the assembly was found to rob, capture the cows, or do other mischief to cultivators, the assembly agreed to assign two *mas* of wet land to the temple by way of fine for the offence committed (No. 273 of 1914). Another inscription records that the people living in the district called Rallapadikonda-Chola-Vala *nadu*, covering a large portion of the Pudukkotai

State, entered into an arrangement for collecting brokerage on betel-leaf. This arrangement was supervised by the people of the district, and the blameless five hundred men, (constituting) the army (*padai*) of the district. The word *nadu*, which is still in use, means a country or district, and the assembly of a particular *nadu* or a large number of *nadus*, which will be equivalent to a modern provincial conference or congress grouped together under one political authority, represents a more complex political integration. Thus, beginning from the Brahman *sabha* or the village *urar*, we find an ascending series through the *mahasabha*, the larger Brahman assembly, the *nagarattar*, the assembly of the traders and merchants, the *nanadeshi* or merchants from abroad, the *nattar* or the district assembly, and the assembly of the *nadu* or a larger division in ever-expanding circles of territorial jurisdiction, marking also the transition from an ethnogenic to a demotic composition. In such a federation all interests, industrial, commercial, agricultural and Brahmanical, were represented, and the principles of functional and territorial representation were fused. These democratic gatherings, which comprised often more than a thousand people, were held to protect from invasion, to found new towns or to levy import duties in a region and arrange for their collection, etc. But everywhere the necessity of greater strength for defence has been the main cause of federalism in ancient Greece, in medieval and modern Europe as well as in medieval India. Thus the assemblies of the *nadu* resembled to some extent the Bœotian, the Achæan and the Ætolian leagues.

Development of Federalism in India.—The development out of the more primitive group of village communities was in two directions. First, the extensive caste or guild may be called a sort of a large federation of villages. Secondly, there was normally a very loose federation of agricultural communities, traders and merchants, villages and cities, whose political union became closer as civilisation went on or the forces of aggression from without became more powerful. Whether meetings were summoned ordinarily or on occasions of special urgency, depended on the

periods of weakness or strength of the popular consciousness ; whether it was a union of co-ordination on an equal footing depended upon the relative power of the individual units ; whether it was a mere juxtaposition of the different elements and not their fusion depended upon local conditions and circumstances. But the fact cannot be denied that the village communities and the cities, while retaining their original independence and plurality in all internal matters, were passing into larger political organisations on a federal basis, rising layer upon layer from the lower rural and communal stratifications on the broad and stable basis of popular self-government. This crucial phenomenon in our socio-political history demands attention, for it is almost universally supposed that India did not evolve any political organisation between the autonomous village and the central government. The special corporations of merchants or religious sects or sub-sects jointly exercising their rights and privileges, including those of taxation and coinage of money, or their modern counterparts, the guilds of craftsmen and merchants, Komatis, Shanans, Lingayats, Marwaris and even Panchamas, who are distributed among a number of subdivisions and even districts, yet come under a centralised social management under *ejamans*, *mahajans* or *gurus*, in a far-off temple, trade-centre or village. Such non-local associations represent an integration by mere reduplication of parts for satisfying functional needs. The assembly of the *nadus*, on the other hand, is a territorial organisation, which has a composite structure and constitution of its own meant to give expression, not to functional needs or interests, but to the whole corporate life of communities, rural and urban, under its jurisdiction.

It is significant that such local bodies and assemblies retained their autonomy even during the heyday of Chola imperialism (985–1035 A.D.). Rajaraja the Great and his son Rajendra Chola Deva, whose conquests ranged from Kalinga in the North to the Laccadives and Maldives, the Andaman and Nicobar islands in the South, from the Malabar coast and Coorg to Pegu, tolerated the independent civil and criminal jurisdiction of these bodies, their absolute

rights to lands and to self-taxation, and even entrusted them with crown lands or money as investments for interest as long as they paid regularly a small charge on the land and some petty imposts.

Political Integration in India and the West.—There is distinct evidence, in the South Indian inscriptions, of a fusion of political, social and industrial elements such as was represented by a consolidated meeting of the village assembly (*urar*), the Brahman assembly (*mahasabha*), the district representatives (*nattar*), the occupational guild council (*ganattar*), the city corporation (*nagarattar*) and the *nadu*. The political integration thus reached shows a more composite structure than that represented by mere aggregations of similar units, worked up into compound forms such as the familiar associations on a mere territorial or functional basis; and in its complex co-ordination of the functions of local and non-local associations it appears to anticipate to some extent the recent plans for guild socialism or syndicate control and their line of political reconstruction. These recognise to-day the value of the group and find that the variety of group life to-day in the West has a significance which must be immediately reckoned with in political method. In the Indian scheme of polity, while many of the schemes and ideals of representation based upon vital modes of association are held in solution, it avoids many weak points of the Western political pluralists or advocates of vocational representation. In India, the scheme of communalism avoids the clash of divided allegiance. There is an integration of neighbourhood and occupational groups—and other functional groups as their importance and usefulness demand—as their "objective value" is manifest, thus correcting many partial points of view which proceed from the more specialised groups. The various and varying allegiances actually live in and through the other, and this compounding of allegiances, which still remains the dream of Western political pluralists, is being worked out in the local units as a matter of experiment and tradition, though not in legislatures and parliaments.

CHAPTER XIII.

RACE-ELEMENTS IN INDIAN POLITY.

Indian Tribal Organisation.—The social composition and constitution of vast masses of Indian rural population still remain on tribal levels, but Indian tribes show a more differentiated and elaborate organisation than the African, Australian and other tribes more familiar to the Western anthropologist; the latter are retarded growths.

Indian tribes are seldom unorganised hordes; they exhibit an elaborate organisation of social government, the formation of village-groups comprehended within circles of tribal jurisdiction and the absence of collective ownership. In the field of Indian sociology nothing is more significant than the gradual assimilation of the customs and forms of belief of the aboriginal tribes into the social system of the Aryan peoples; communities have been and are still being incorporated wholly or in part into the Brahmanical social system. The Indian social structure and the racial constitution of the population as well are permeated in fact by the aboriginal element from top to bottom; with the development of more settled habits of a predominantly agricultural population the tribal organisation gradually develops into and is ultimately superseded by the village community, the foundation of the Indian polity. Thus the constitution and internal management of the primitive folks and communities in India which so far, more or less, have escaped absorption, demand some consideration, insomuch as they represent the primary and incipient structures which have been assimilated into or moulded the social type and constitution of the Indian rural population.[1]

[1] Cf. Baines: *Ethnography.*

Bhils and other Primitive Tribes.—Turning to the tribes[1] which are still in a comparatively primitive condition, we find among the Bhils, who have locally settled down to agricultural life in the Vindhyan country, the division of the tribal area into groups of separate settlements called *parhas* (the *parha* used as their local divisions by the Munda tribes is a universal word which survives in the subdivisions of the village in different parts of India). Each has a chief called *tarvai*. There seems to be a larger clan-grouping for social government and festivals. On the Eastern side of India, on the Chota Nagpur plateau, the Munda tribes have shown more settled agricultural habits and a more developed system of clan-government. The Ho, the Munda, the Bhumij and the Santal tribes are divided into minor clans, each having its totemic name. Each group of separate homesteads has its own headman, known as *munda* among the Ho and the Munda tribes; *manjhi* among the Santals; and *sirdar* among the Bhumij. As among the Bhils, they have also larger unions of villages or clan-territorial divisions, each under a tribal chief. Sometimes these democratic communities form a confederacy and meet in large assemblies to confer on very important questions; although as to matters of landholding they are in subordination to some local chieftain or *raja*.

The Santals exhibit a superior organisation. The whole number of villages comprising a local settlement of the tribe is divided into certain large groups, each under the superintendence of a *parganait* or circle-headman. This official is the head of the social system of the inhabitants of his circle (*pargana*); his permission has to be obtained for every marriage, and he, in consultation with a *panchayat* of village headmen, expels or fines persons who infringe the tribal standard of propriety. He is remunerated by a commission on the fines levied, and by a tribute in kind of one leg of the goat or animal cooked at the dinner which the culprits are obliged to give.[2]

Tribal Officials and Self-government.—Besides the

[1] Cf. in particular *Census of India*, Vol. I., Ethnography.
[2] Risley: *Tribes and Castes of Bengal*, Vol. III.

village headman who settles disputes there is a deputy called *pramanik*; both these officers are aided by an executive *jog-manjhi* who sees to the actual execution of orders of the *panchayats* and routine business while the headman or the *manjhi* sits and issues the orders and only interferes on great occasions. The *jog-manjhi* seems also to act as a sort of censor on the morals of youth and his control lasts till their marriage. There are also the village priest, *naikė*, and the village messenger, *gorait*. In many villages among these tribes, as also among the Hos and the Mundas, there is to be found the usual complement of village officers and artisans, and the more so as the communities are agriculturally prosperous.

In some tracts the *parganaits* have an official position; they are appointed by government and through them the *manjhis* or village headmen pay their rents and deal with government. The *parganaits* are remunerated by commission of 2 per cent. on the collection of the *manjhis* subordinate to them. Under them are *des-manjhis* who are their assistants, and *chakladars* who act as messengers. In some areas *sirdars* have been appointed in place of *parganaits*; they discharge some of the duties of police officers, having a number of village *chaukidars* under them, and perform much of the judicial work formerly transacted by the *parganaits*. Government officials frequently send them cases regarding social matters, land disputes, etc., for investigation and report. There are then three judges: one for the complainant, one for the accused, and one for the government. This court is called *salis*, and its discussions are properly regarded and subject to no appeal. Of the ordinary village *panchayat* all the indigenous officials, the *manjhi*, *pramanik*, *jog-manjhi*, *gorait*, *naike* and *kuram-naike* are members; all petty disputes both of a civil and criminal nature, disputes about marriage and inheritance are settled by the village-assembly, which meets now and then at the *manjhi-than*, the seat of the spirits of deceased *manjhis*.

Disputes between men of different villages, as well as matters which are too important to be decided by the village-assembly, are referred to a *panchayat* consisting of

usually five neighbouring *manjhis* under the control of the *parganait*. The *bango* is the jurisdiction of one or two *parganaits*, and may include a hundred villages. Above the village headmen and *parganaits* are the people themselves; it is very characterisitic that at the end of the Santal year, when arrangements for the new year are made, all the village officials resign their posts to the villagers, and the cultivators also give notice of giving up their lands, saying that they will keep only their old house-sites and huts for their wives, and their own bodies, connoting personal freedom. The community, in fact, returns to the primal communism; after a few days, however, everything is *pro-forma* given and taken back again; the village officials resume their duties as representatives of the people, while cultivators resume their individual ownership under the trusteeship of the community represented by the headman. In the Santal village community, again, if a man leaves his village he cannot sell his house, for the timber of it belongs to the village; he cannot sell his land to outsiders, for it has to be taken up by a fellow-villager. The system of self-government works very well; internal disputes are still very largely settled within the village bounds, and, if the villagers are dissatisfied with the headman and other village officials, they can get them dismissed.

Tribal Land Ownership.—In none of these tribes do we find communal ownership of lands by village bodies. Occupation and clearing give rise to individual or family ownership under the direction of the tribal chiefs. Among some tribes there is the custom, however, of a periodical distribution of land, so that good and bad lands equally fall to one's lot. In every case, however, the tribe is jealous of encroachments on the uncultivated wastes which are within the territory of its *parha*.

Dravidian Tribes of Orissa.—Dravidian customs regarding village life and land holding are very difficult to disentangle from the village communities met with in different parts of India, where they have shown continuous alteration and fusion as well as absorption and comprehension. But in certain localities, where the Dravidian tribes have

been comparatively inaccessible to civilising influences and represent the less advanced members of the race, tribal organisation as well as village settlement exhibit distinctly Dravidian characteristics. Among the Kandhs of Orissa, for instance, we find an elaborate scheme of tribal territories and subdivisions, though a system of military aids, investiture of the tribal chiefs and patriarch by the *raja* and other feudal incidents gradually supervened as the superior civilisation of the neighbouring Hindu princes exerted its influence. The tribe, or rather the clan, is first subdivided into *muttha*, each descended from a common ancestor. There is the headman or the *muttha* chief, who sits with the village elders under the sacred tree which was always either left when the forest-clearing was made or was planted on the establishment of a new village.

The adoption of the name of the dominant tribe by bodies of artisans and servants is characteristic of both the Kandh and the Gond, so that, as in the case of the Nair, but on a smaller scale, there are Gond blacksmiths, drummers and cow-herds, and Kandh blacksmiths and potters.

There are recognised servile castes or hereditary employees, blacksmiths, herdsmen, potters and distillers, whose huts cluster at one extremity of the village. This, as well as the right of the village to the unoccupied waste within its jurisdiction, is a universal characteristic of Indian village communities, but the villages here are held together not only by the holding of land in common but also in many cases by some totemistic connection, or by tribal bonds under the control of a strong democratic organisation or of some local hereditary chief.

Tribal Feudalism.—In the feudatory states of Orissa the foundation of administration rests very strongly on the village headman. He has acquired by prosperity a very strong position, and is sometimes fully capable of maintaining his rights against the chief or feudal tenure-holder under whom he holds; claims to the forests in the villages are often asserted and recognised. Besides the priest of the aboriginal deity, who now generally ranks next to the village headman, but still in some cases retains a superior stating,

the only other recognised official is the *gorait* or *chaukidar* (village watchman). Headmen or *gaontias* are *ex-officio* police-bearers; and the *gorait*, besides being the village messenger, is also the assistant of the *gaontia* in all matters connected with police or the detection of crime. Though the necessity of military service has passed away, the whole system of the feudal tenure by which it used to be maintained still exists. Round the sites of the ancient *garhs* or forts, which are mostly situated at vulnerable points on the border, are clustered colonies of "men-at-arms" called *paiks*. From ten to thirty *paiks* are located in a village. The head of the *paiks* in each village is called the *garhatia* or *garh-naik*, who has an officer under him called the *dal-behara* or captain. He is also generally the *gaontia* of the village. Over each group of 100 *paiks* is the *sardar*; there is also the *sena-pati*, who is the recognised head of the men-at-arms. The *sardar* and *garh-naiks* are bound to produce their *paiks* whenever called on by the *raja*; they enjoy monthly pay as well as rent-free lands. The *paiks* and all tenants of *paiki* villages are excused from all payments in kind. There are the usual grants of service lands to village watchmen (*chaukidars*), village servants, and the ordinary rent-free and religious grants. The type is similarly feudal in the Gond country and overlordship, fiefs and military service are similarly characteristic.

Gond System Modified by Marathas.—Under the Gonds the whole of the Khalsa area had been subdivided into *killas* consisting of a varying number of villages, each *killa* being under a *killadar* or *diwan* assisted by an establishment, the chief officers of which were the *deshmukha*, *desh-pande* and *sir mukkadam*, who held an intermediate position between the *killadar* and the village officials. The Marathas, whose revenue system was directly inherited from the Gond system, removed these intermediate officials, retaining only the general manager, who was now called *kamaishdar* and whose charge was styled a *pargana*; the keeper of the government accounts, now called *phadnairs*; and the *warar pandia* or recorder of the village accounts. Of the village officers the *patel* is the most important; he is assisted by the *pandia*

or village accountant and the *kotwar* or village watchman.

Gond Village Patriarch.—Among the Marya Gonds, where Dravidian institutions remain in their pristine form, each village has a headman or *patel*, called the *gaita*. In addition to his office as a *gaita* he generally exercises also the hereditary functions of a *bhumia* or religious headman of the village. This dual office used formerly to be held as a rule by one and the same man in the village, and, with a few exceptions here and there owing to poverty or loss of influence on the part of the *bhumia*, it is still so held in the majority of cases. The man enjoying the double office is, therefore, the patriarch of the whole village community, and his authority in the village (or a group of two or three villages) under him is supreme. This post is hereditary. The caste has not a standing *panchayat* or governing body. It is called together when required. But the system prevailing in the caste is far more developed and is in certain respects more far-reaching in its effects than the ordinary *panchayat* system prevailing in other castes.

Gond Village Group.—The jurisdiction of the village *panchayat* is confined to the village itself, and a local village *panchayat* is never referred to for the decision of a case by persons at a distance. A group of about 50 to 100 villages is constituted into what is locally called a *patti*, and this *patti* acknowledges the authority of the chief religious and social headman of the group, who is called the *sendhia*. The *sendhia* is the chief priest and judge of the *patti*. Every marriage contracted, every case of social misdemeanour involving the penalty of a fine and every other social and religious function performed in any village of the *patti*, yields the *sendhia* a fixed fee in cash, ranging from Rs. 2 to Rs. 10, and in some exceptional cases up to Rs. 50. The office of the *sendhia* is also hereditary, and the *sendhia* is the dominant authority in the *patti*. The authority of the *sendhia* (for purposes of a *panchayat*) is invoked only in exceptional cases involving the interests of a number of villages, and in such cases the decision of the *sendhia* on an appeal being made to him by or against a village *panchayat* (or a number of village *panchayats*) is final. For purposes

of a *panchayat*, therefore, each *patti* forms a distinct unit, the internal composition of which is as follows :—

(*a*) Each village holds its own *panchayat*, composed of a few village elders and presided over by the village headman (*gaita*).

(*b*) Each group of villages acknowledges the authority of the *sendhia*, who is the court of appeal for difficult or intricate intra-communal disputes.

(*c*) Each *sendhia's patti* is, as a rule, a compact block of country, sharply defined by prominent natural geographical boundaries (a range of hills, a large river or a *nala*), and the *sendhia's* authority is confined to his own *patti*.

The affairs of one *sendhia's patti* are never referred to a *sendhia* of another *patti*. Each *patti* is known by its local geographical name (such as the Lahiri *patti*, the Vennasugar *patti*, the Jarawandi *patti*, the Ghat *patti*, and so forth), and each *patti* is the sole undisputed domain of the local *sendhia*.[1]

Munda-Dravidian Village of Chota Nagpur.—A more advanced stage in village formation and settlement than that which the Kandh and the Gond village represents is furnished by the Munda-Dravidian village (as we find it among the Mundas and Oraons, for instance) in the Chota Nagpur districts.[2] We find here a very elaborate system of agrarian distribution and settlement, tribal government and centralised control. *Bhuinhari* lands are allotted to the descendants of the original founder, the headman or chief of the village (the common title *munda* for the headman suggests that the Dravidian and the Munda culture elements have mingled), the village priest and the regular staff of artisans and employees, resident and entitled to their grain remuneration. There are also the *mahato* or village accountant, the *bhandari* or bailiff, the *gorait* or watchman, and the *ahir* who looks after the village cattle. There are definite village boundaries and equitable arrangements for the distribution of land. The development of intensive cultivation and the increasing pressure of population have some-

[1] *Census of India*, Vol. X., pp. 239, 240.
[2] Cf. District Gazetteers, Ranchi and Santal Parganas.

times led to the stage of the redistribution of certain classes of holdings held by non-privileged families and settlers. Exception, however, is made for lands for which permanent improvements or irrigation facilities have been made. Tenant rights develop and are respected. The clearer of the jungle was the owner or spiritual head of the village or co-owner with his original associates, if he had any. Their descendants own the jungle out of which the village was made; all else are *prajas* or *ryots*. An elaborate code of agricultural and grazing customs, forest and irrigation rules also develop. The strongest attachment to land is manifested, as well as the feeling of individual proprietary right transmitted from generations.

Originally the whole central tableland of Chota Nagpur was divided into *parhas* or rural communes, comprising from ten to twenty-five villages, and presided over by a divisional chief, called the *raja* or *manki* of the *parha*. But this element in the tribal village system is falling into decay. The *parha* divisions, however, still exist in their entirety in many tracts; there are groups of from ten to twenty-four villages, each of which has its own *munda* or village-head; while the whole commune is subject to a divisional headman called *manki*, who in a few *parhas* still collects the fixed rents payable by the villagers, as well as other dues, such as road-cess and *rakumats*. Formerly the *manki* used to settle land and other disputes occurring in the group of villages under his jurisdiction, and also exercised general supervision. Indeed, the *manki* is an essential factor in the original political organisation of the Munda races, and as such has existed everywhere among them, though not everywhere under the same designation. Both among the Mundas and the Oraons, the original social organisation of the *parha* and the political organisation of the *patti* still survive. Among the Mundas,[1] for instance, in the *bhuinhari* area of Ranchi, each *parha* consists of eight to twelve villages; in parts of the *bhuinhari* area all the *bhuinhars*, or the descendants of the original settlers in the villages of a *parha*, being members of one *kili* or *sept*. In each *parha* there is a standing com-

[1] Cf. S. C. Roy: *The Mundas*; and *The Oraons*.

mittee or *panchayat* with permanent officers whose titles such as *raja*, *diwan*, *thakur*, *lal*, *pande* and *karta* have been borrowed from their Hindu neighbours. The head of the *parha*, for social purposes, is the *karta*, and for political purposes was the *manki*, the name and office of whom survive in a few tracts, since the Hindu landlords destroyed their independence. In some dependent tenures in Singhbhum, as well as among the Hos and the Santals, the *manki* has still retained his office. In the Khunkatti area of Ranchi the names *manki* and *patti* still survive. There is no standing committee, and there are no permanent officials, and the *panchayat* is composed, when occasion requires, of the secular and sacerdotal headmen of the villages included in the *pattis*, under the presidency of the *pat-munda* or, occasionally, of the *manki*. In cases of minor disputes a private *panchayat* consisting of members of the same sept or village is convened. A president or *sir panch* is elected, and he, with the aid of the two assessors selected by each party, decides the question at issue. May not the title of the president as well as the procedure have spread far beyond the confines of Chota Nagpur and percolated through all the lower strata of the Hindu community? Similarly among the Oraons the *parha panchayat* is still to be found exercising its jurisdiction over a group of villages; all matters affecting whole villages and not merely individual disputes between villages, matters of religion, dates of festivals, disputes about flags as well as customary rules of sport and hunt are decided by the meeting of the *parha panchayat*, which is periodically held. The *parha panchayat* is presided over either by a *kartaha* or *mukhya*. This assembly is a court of appeal against the decisions of the village *panchayats*; it also deals with offences against caste and tribal custom. The office of the *kartaha* is hereditary; that of the *mukhya* is only held so long as the holder is fit to perform duties. Most of the other Dravidian tribes and septs have also similar *panchayat* organisation. The Rautias, probably Dravidian in their original affinities, have a representative assembly for groups of from five to fifteen villages called *mandala*, which is presided over by a hereditary official

known as the *mahant*. May not the standing assembly of the *panchayat* and the *mandali* or circle of five, seven, ten or hundred villages in Bengal have their original affinities in these vital Dravidian or Munda institutions?

Munda Village Groups under Government Recognition.—The original political organisation of the Munda races, the indigenous village system based upon a federal union of villages under a subdivisional headman, is seen at its best among the Hos of Singhbhum,[1] who, under a suitable system of protective administration, have still retained intact much of the original social organisation. The indigenous organisation has been adhered to at the settlements, and it is significant that the British administration has utilised tribal government and tenures. The whole of Kolhan is divided into groups of five to twenty villages, each village under a *munda* or village-head, and each group under a *manki* or divisional headman; the *mundas* are all subject to the authority of the *mankis*, who are assisted by *tahsildars* or village accountants, and by *dakuas* or constables appointed by the *mankis*. Every *munda* is responsible for the payment of the revenue, and for the detection and arrest of criminals in his village to the *manki*, who is in his turn responsible to government. For acting as revenue collectors, the *mankis* receive a commission of 10 per cent. and the *mundas* 16 per cent. of the revenue which passes through their hands. Besides these duties, the *mankis* and *mundas*, each in his degree, have certain informal powers to decide village disputes and questions of tribal usage.

South Indian Clan Divisions.—It is an easy transition from the advanced type of the Munda-Dravidian village in South-Western Bengal and the Chota Nagpur area to the village communities of the Madras Presidency. The resemblance is more manifest particularly in the West coast districts of the South, in Malabar and Coorg, where democratic tribal traditions are still vital and potent in the formation of economic and social structures, though feudal and monarchical tendencies have sometimes supervened.

All over the South of India we have living traces of

[1] Cf. District Gazetteer, Singhbhum.

clan-divisions. The basis of the territorial organisation, coming down from very early times in the South, was the *nad* or *nadu*. Such clan-divisions form, indeed, the natural landmarks for defining the jurisdiction of kingdoms and of chiefships such as those of the ancient Cheras, Cholas, Pandyans or the Poligars. Remnants of this tribal, territorial organisation are, however, most evident in Malabar and Coorg. In Malabar, the *nadu* divisions are still governed on a clan basis and the *nadukuttams* or meetings represent the democratic tribal gatherings like those of the Kandhs or of the Oraons; the *takka* among the Coorgs corresponds to the *muttha* among the Kandh tribes and is comprehended within the *nad* or clan region. The *simatoka* corresponds to the chief of a whole district or region to be found among all Munda and Dravidian tribes throughout India.

Nairs of Malabar.—The South-Western coast of India has remained in comparative geographical isolation, and has been more or less free from the encroachments of the centralised State. Malabar never submitted to Muhammadan government, and Muhammadan supremacy lasted for not more than thirty years. In the Malayalam country the territorial unit of organisation for civil purposes is the *tara*. The *tara* consists of several Nair houses called *tarawards*. Each *taraward* consists of the mother and her children. The senior male member, who is called the *karnavan*, is the *karta* of the family. The *karnavans* of each *taraward* originally formed the assembly which conducted the affairs of the *tara*. From these *karnavans* were elected *mukhyastars*, *pramanigal*, *tathastar* (chief men). They convened meetings (*kutams*) of the *nadu* or *nad*, placed before them the matters to be discussed and carried out the decisions of the assemblies. According to the number of houses, the assembly was called the three hundred, the five hundred or the six hundred. In a South Travancore inscription, dated 371 M.E., the organisation is referred to as Venat-taranuru, or the six hundred of Venad, and one of their duties evidently related to the working of temples and charitable institutions connected therewith. Since Venad was divided into eighteen districts in ancient days, there might have been altogether

eighteen six hundreds in the country (N. Subramani Aiyar). But it is chiefly as a political body that they played a most important part in the history of the country as a bulwark against the tyranny and oppression of the *rajas*. "These Nayars, being heads of the Calicut people, resemble the parliament, and do not obey the king's dictates in all things, but chastise his ministers when they do unwarrantable acts"—so records the diary of the Tellichery Factory, 1746 (quoted in Thurston's *South Indian Tribes and Castes*). Once in twelve years the Nairs of Kerala used to meet on the banks of the Bharata River at a place called Thirunavayi. In this "parliament" (*mahamukham*) every dispute not settled was discussed and decided.[1] This parliament was convened, as were also the assemblies of the *nadus*, either by the *rajas* or the people themselves. The meetings called by the people served to protect them from the oppression of their rulers. This system seems to have retained its efficiency down to the time of the British occupation. With the advent of British rule their political and executive power declined, but this has not prevented their rights of social government from being curtailed or suffered to fall into disuse. All the adult members of each *taraward* in a *kara* take part in the general meeting usually held at the *kara-yogam* temple attached to the *kara* or *desam* (or the *tara* and the *amsam*), which is still the territorial unit. Near the temple there are the tank and the banyan tree, with its platform (*al-tara*) or a wooden platform (*thathu*). The assembly is often called *nizhalilirika* (a sitting under the shade), presided over by the *asan*, and passes rules of social government. The *asan* and the four leading *viranmars* meet and discuss details of the conduct of social ceremonies in particular houses, enjoining all to help by contributions and manual labour. They collect fees on *talikettu*, *sambandham*, or death. Every Nair house would also reserve one or more cocoanut trees for the common fund and pay contributions towards the periodical festivals and ceremonies of the temple. The *karayogam* has also to meet the expenses

[1] After the meeting of the *mahamukham* ceased to be held, an assembly used to meet regularly at Madhailakam and afterwards at Trichur in the Brahmarswa-matham.

of communal amusements and recreations—village plays which dramatise stories from the *Puranas*, the *Ramayana* and the *Mahabharata*. The artisans, employees and functionaries of the *karayogam* are the carpenter, the blacksmith, the *thandan*, the barber, the washerman, the goldsmith, the astrologer, the *maran*, the *tantri* and the *embranthiri*. All other important castes, including the Puleyas as well as the Christians, also have their *karayogams*, while the Brahmans have their *sabhas* and *samuhams* in their *gramams* and *agraharams*; but the employees and functionaries are different: the village in every case shows the same corporate spirit in the decision of disputes, and the autonomous social and economic management.

Fisher Tribes of Cochin.—In Cochin the fishermen congregated in their *karas* or *kadavus* (literally, shore) have their headman, called *valiaravar*, who is appointed under the royal seal, and is given a sword with a gilt handle. Below him are the *aravars*, who are the heads of one or more *karas*. Below the *aravars* are the *moopans*, who are heads of *karas*. The *ponombans* carry out the orders received by the *valiaravars* from the *sarkar* and from the community, which is distributed over a large number of villages. Similarly the Izhavas have their headman, called the *thandan*, the *adhikari* of seven *desams* or villages, and the Kurmi Chettis their *valiamupan* with their class of secondary dignitaries and officers. All castes, including the hill tribes, have their headmen and officers with corresponding functions entrusted to them by the rulers of Malabar. In Travancore the headmen of the Izhava caste are the *channans* and *panikkans*, invested with these titles by the *rajas*, and the limits of their jurisdiction were generally fixed in the charters (*tittu-rams*) received from them by their rulers. Their authority has remained supreme within these jurisdictions in all social matters, though this is being ousted by the present tendency towards centralisation.

South-West Coast Family Group System.—The socio-juridical organisation on the South-West coast is based upon the family groups into which the various tribes and castes have been divided in their settlement in the

country, each with more or less defined territorial limits. The Brahmans are grouped in *gramas*, the Nairs and other castes in *therus* and *cheris*, and the affairs of the community are under the management of the headman and a secondary class of dignitaries (*gramini, karnavan, mudalal, thandan*). The territorial units are the *tara* and *cheri*, and later the *desham* and *uldesham* (village and hamlet), with its institution of headmen (also called *pati, deshadhepati, deshwali*, etc.), hereditary village servants (*cheri-janmakar*) and village *panchayat*, and the system of police and watch-ward of many grades down to the village watch, and finally the *nadu* or *nada*, a whole district, with its *kutams* or assemblies of several hundreds.

Coorg Village Organisation.—In Coorg the socio-juridical organisation is of the same type. The territorial unit is the *ur* or village, which consists of several *manes* or farmhouses. The *takka*, assisted by the village elders, looks after the village management. The *nad* or district and the *sime* or region represent the larger administrative divisions in the indigenous system. The *takka* decides cases of immorality, violation of caste rules, or social etiquette relating to the national dress, attendance at all important village festivals, etc. If the *takka* cannot settle a dispute, he convenes a *nada panchayat*. If the parties cannot accommodate themselves in the presence of the *nada* and *mukyastams*, the question is referred to the *simatoka*. Every *nad* has three to five *takkas*; there are four *simatokas* in Coorg proper. This system of government by *takkas, nadas* and *simatokas* had formerly an elective basis. Even now it is still playing an important part in matters of rural economy, domestic morality, village custom, petty dispute and religious observance.

Munda-Dravidian Tribal Polity.—We thus see the elements of the Munda and Dravidian communal village and tribal organisation surviving in the social and economic structure. Enumerating briefly the characteristics of the Munda-Dravidian polity we have the following: (1) territorial division and subdivision of the tribe and clans; (2) tribal jurisdictions as well as central and local government

by *panchayats* presided over by village headmen and acknowledging the authority of a divisional chief; (3) the communal control of the unoccupied waste or forest and an agrarian economy under the scattered field system; (4) the communal employment of a staff of village officers, artisans and employees, who are given plots of land out of the village settlements; (5) the communal apportionment of revenue burdens, services, etc., according to the tribal hierarchy; and (6) the reservation of a plot of land for the worship of the local gods. In the old Munda-Dravidian villages in South-West Bengal, the hereditary and originally tribal character of the village chief is obvious, and the first form of the interference of the State was not that of adopting the headman, but of supplementing him by a second officer who could keep accounts of the king's revenue share of the grain, and who was called *mahatao*, and afterwards *pandya*, *patwari*, *karan* and other local titles. Something of the same kind is the typical form on the South-West coast of India. In the villages of the Dakhan districts of Bombay, traces of the ancient Dravidian allotment of lands for the headman, the accountant and others of the village staff are equally universal. The *watan* land, occasionally held as *imam* or free of revenue charge, is confined to the headman, the *kulkarni*, and to the *mahar*, watchman. But in other parts, in Berar, for instance, the barber, the sweeper and other such had their petty service lands, at least when these grants had not been absorbed, as they sometimes were, by some great chieftains of later times. It is remarkable that Manu allows certain revenue officers the privilege of a certain area free of charge, and that this landed privilege is assigned to the chief of a small group of villages. Thus the king adopts the older organisation of agricultural society as he appoints a head of each village, a head of a small group of ten, and a head of a district of hundred (*deshmukha*), etc.[1]

Munda-Dravidian Foundations of Modern Indian Polity.—In Chota Nagpur and the adjoining districts of Chattisgarh we find every stage of village organisation developed by the Munda and Dravidian races. The latter

[1] Baden-Powell: "Study of the Dakhan Villages," *J.R.A.S.*, 1897.

were as great colonisers as the Rajputs, and the centre of their organisation in Chota Nagpur is as important as Oudh and Rajputana, which give us the best data for reconstructing the Rajput or Aryan social organisation.[1] First, we find in the Munda constitution the divisions of the tribal territory into a number of villages, each under its own headman (the *munda*) and also the union of ten or twelve adjoining villages (the *parha*), having its own tribal priest. Secondly, in the Gond villages of Chattisgarh, we find the headman assisted by four or more officials, composing the village *panchayat*. Thirdly, the transition to the elaborately organised villages of the Oraons (Dravidians) amongst whom the *panchayat* is composed of the elders of the village including the *munda*, or the village headman, the *pahan*, or the village priest, and *matho*, or the village accountant—an official who ultimately became the prototype of the *karan* and the *patwari* of Bengal and the North-West, the *kulkarni* of Bombay and the *karnam* of the South. Except the *pahan*, these officers do not, like the Munda and Gond headmen, hold a separate tract of land as an appanage of their office, but they have allotments in the three cultivated tracts of land set apart for the clans of *bhuinhars* or original settlers from which the *munda*, *pahan*, or *matho* is chosen. Lands have been held in communal tenures ; redistribution has been the practice, and in this not only the lands held by the subordinate cultivators, but also those of the headman have come into the common stock. The Dravidians, who superimposed the central government of the *rajas* over the simpler and more primitive tribal type of village organisation, eclipsed the authority of the *mankis*, who thus dropped into a secondary position, converted the lots reserved for the old tribal *manjhis* and *bhuinhars* into royal demesne and continued the petty allotments made for the village and district gods (*gaondesti*, *desauli*, etc.), adding to them the reserved trees or the sacred village grove or, again, the reserved allotments, for the mother goddess worshipped in various parts of India in images made of wood as Devi, Bhagavati, etc. Allotments for the support of artisans and

[1] Cf. Baden-Powell : *Land Systems of British India.*

village employees, including the watchman, were also made or continued, and a steward or headman in the royal interest called *mahto* was grafted on to the old village staff, and he was provided with an *ex-officio* land-holding like the earlier village officials. It is characteristic that throughout the South, the holding of land in virtue of hereditary village office or service (*manyam*) is everywhere known. The *watan* or land held *ex-officio* by village headmen and continued by Muhammadan administration in Central or Western India is a distinct Dravidian institution. The sacred groves common to the Munda and Dravidian tribes and the institution of the royal demesne worked by labourers in many parts of India, as we find in Coorg, for instance, are distinct aboriginal survivals. Feudatory estates, *jagirs*, *talukdaris*, and *zamindaris* in the Central Provinces and Berar are similarly the distinct vestiges of the strong central government of the Gonds who placed the great *raja* in the most important domain, and grouped the other territories into greater or lesser chiefs' estates, around the former. Similarly in Malabar we find the *rajas* occupying the central territory and the lesser chieftains grouped around him in sub-feudal relationship. The outlying districts of a conquered territory were, in the Dravidian scheme, usually occupied by chiefs (*ghatwals* of Chota Nagpur and Southern and Western Bengal, and *poligars* of Southern India) who were wardens of extensive marches, and their successors at this day occupy the position of considerable *zamindars*. In fact, large estates belonging to single owners in different parts of India owe their origin in many cases to the strong Dravidian rule by chiefs and their *sardars*. The Dravidians, indeed, founded and consolidated the present land revenue system of India. The Muhammadans, the Mahrattas and the British have successfully grafted on the Dravidian village organisation their own officials, *patels*, or *deshmukhas* or *pandyas* for the systematic collection of the revenue, or utilised the old officials, the *manki* headman and the Dravidian accountant. They recognised the hereditary rights of certain leading families, "proprietors," who built the forts round which the huts of the villagers cluster, continued the *jagirs* and

smaller grants, and in many cases retained even the allotments for the village employees and the village gods.[1]

The village or family groups, aggregated into unions called *nadus* with some kind of chief, acting in assemblies, represent clearly in South India the same continuity of the Dravidian system of the central government of chiefs or *rajas* superadded to the more primitive republican system, characterised as it is by divisions of the territory on a tribal basis under the hereditary headman of the villages and the chiefs or headmen in council. In village and city planning the division of the Indian village or city into *parhas* and *pattis*, each with its central site, the residence of the headman, is a replica of the Dravidian division of the tribal region into *parhas* or *desams* or *pattis* each having its central village, such as the *chaputa* village of a *manki-patti* in Chota Nagpur. Such a territorial division is still to be found where Dravidian institutions survive, or where Dravidian influence made itself felt, as in the Eastern regions of the Mediterranean, Asia Minor and South Western Asia along the old Indian trade routes.[2] The question may be discussed whether any affinities of the Munda-Dravidian village settlement and organisation with the institutions found among the more primitive and autochthonous tribes in South India, Madagascar, Lower Burma, or the Malay Peninsula can give the anthropologist a clue to the solution of the vexed question of social origins in Southern Asia. The division of the tribal territory, and central and local government by councils presided over by village headmen and acknowledging the authority of a divisional chief, are found among many of the primitive tribes in South-Eastern Asia and the Malay Archipelago. In Sumatra, each village is divided into sections called *sukas*, the *tolas*, or hamlets, of a Dravidian village, and while each *suka* elects its headman, the headship of the village is hereditary, as is that of the *marga*, or union of villages, answering to the Dravidian *parha*. In Fiji, each village has its headman, being called *turunga nikoro*, and the provincial chief (*mballi*), who exactly answers to the Dravidian

[1] Cf. Russell: *Tribes and Castes of the Central Provinces.*

[2] See *J.R.A.S.*, 1899, p. 329; and Hall: *The Ancient History of the Near East.*

manki, while the supreme master of the confederated provinces, or *parhas*, is called *roko*. These Fijians also, like the Marya or Tree Gonds and other forest tribes who are descended directly from the matriarchal tree-worshippers, and not partly from the sons of the mountain, like the Mundas and their congeners, treat the children born from parents belonging to the confederacy as children of the village where they are born, and bring up all the boys and young men together in a building exactly answering to the *dhumkuria*, or bachelors' hall of the Indian forest races, while the girls are brought up by a village matron. They are also, like the Dravidians of the Madras and Malabar coasts, experienced and adventurous seamen, who have, like the Northern Vikings, learnt without foreign assistance how to make canoes capable of voyaging to distant lands.[1] The proto-Dravidians were the first rice-growers, and it was they who followed communal methods in agriculture and established the elaborately organised system of communal economy and village government. There has been a good deal of ethnic intermixture and superposition of the successive economic and social stages, each marking a rise in organisation which has left only faint survivals.

Indian Migration.—There has also been a great deal of migration in ancient times, and the institution of the village community has travelled, like other things, far and wide. It is believed by some that it was by way of the Euphrates valley that the Indian village communities made their way into Europe, for their village system is exactly reproduced in that of Palestine, where at the present day the lands are every year distributed among the cultivators exactly in the way that is usual in India. It was there that they apparently first found out how to develop the local grasses into wheat and barley, good substitutes for their Indian grass developed into rice, or *ragi*. Thus it is probable that, while the domestic animals came to Europe from West Central Asia, the older staple crops may have come from South-East Asia, from Asia Minor, or Northern Palestine. Hewitt believes that the constitution of the Dravidian village com-

[1] Hewitt, J. F.: *The Ruling Races of Prehistoric Times.*

munity made its way to the Persian Gulf through coasting voyages, and ultimately reached South-Eastern Europe. According to him, the Spartan form of government reproduces Dravidian customs, and gives, along with other evidences, an historical clue to the origin of the race. The five *ephors* are the five members of the Indian village council, called the *panchayat*, or council of five (*panch*), while the two kings are the Dravidian supreme king, judge, and law-giver, and his chief subordinate and almost co-equal, the *senapati*, lord (*pati*) of the army (*sena*), the commander-in-chief. Thus the village hall of the Indian Dravidians, which is found in every Dravidian village in India, and in those of Burma, Siam, and Annam, was also to be found later among the Southern Suevi or Swabians in Europe, either as a common dancing or meeting place, or as a building similar to that of the German village, owned by the community as a place for public meetings and for the entertainment of strangers. It is among them that we also find, according to the descriptions of Cæsar and Tacitus, that the magistrates and princes in assembly divide the land annually in proportion, as in the Indian village community, while the village tenants of the lord, who have no separate and private fields with proper boundaries, each occupies his own house and pays a tribute of corn, cattle, and flax. The system of Indian rural economy and village settlement thus ultimately found its way into Western Europe with changes brought about by successive migrations and invasions, and there it had a different and chequered career. These are matters which cannot be finally decided before sufficient evidences in the following directions are brought together: the anthropometric affinities of racial types, the affinities in language, myth, and social customs, as well as the testimony of stone, iron, and wood implements in the diverse regions marked by homogeneity in physical and social types and species.

But some of the Indian evidence is sufficiently clear and definite. The *panchayats*, or the village councils, and the village or ward policemen, as well as the allotments of lands for village headmen, accountants and employees, are the most vital of the Munda-Dravidian survivals, still found wherever

the social composition shows a large aboriginal admixture. The *panchayats* and the communal villages have not been obscured, whether by the *Mitakshara* and *Dayabhaga* codes of property, or by the Muhammadan superimposition of overlords, fiefs, and feudal tenures, or, again, by the British superimposition of the rights of individual property. In Bengal the unions of villages in a circle, *mandala*, and *panchagrama*, or five villages, the officers now called the *mandalika* and the *panchagramika*, the divisions of villages and urban congregations into *parhas* and *pattis*, and the larger divisions now called *parganas*, have their original affinities to Munda institutions.

Caste Government.—In the gradual process of absorption of the Munda-Dravidians by the Hindu social organisation, we find survivals of their polity in the *panchayats* of almost all the non-Brahman castes. In matters of social administration, each caste is an autonomous unit, having its headman and peon, and often its vice-headman. Appeals against the decision of the village headman, whose jurisdiction extends over each endogamous subdivision of the caste or tribe in each village, are referred to a higher tribunal, consisting usually of a council of these headmen, presided over by the tribal or caste chief, or head. This tribunal exercises its authority over a number of villages, the number varying with the strength and distribution of the communities concerned. In South India the territorial jurisdiction of such a tribunal is variously known as a *nadu* or *patti*, both of which denote old tribal divisions of the Dravidians. In most castes the decisions of the second court are subject to a third, or even to a fourth tribunal, the constitution of which varies with almost every caste. In some castes several *nads* are grouped together under the jurisdiction of an officer called *pattakkaram*, *periya-nattan*, *peria-dorai*, *padda-ejaman*, *raja*, *gadi-nattan*, etc. Sometimes the decisions of *pattakars* are referred to a board of *pattakars*, and sometimes, when Brahmanical influence is stronger, to a *guru*. Such are the vestigial remains of the old Munda-Dravidian tribal organisation, seen in its purer form even to-day in Chota Nagpur, Malabar, Cochin, and Coorg, with its divisions

of tribal territory into a number of villages, each under its headman, its groups and unions of villages, called *parhas* or *pattis* or *nadus*, and the hierarchy of tribunals composed of the board of headmen, presided over by a chief or a *raja*, who still exercises a certain vague supremacy over a group of tribal divisions. Caste administration is of a strictly hierarchical character, like tribal administration, and monarchical or republican forms survive as vestiges of the older tribal types. In each caste tribunal, again, we find the two assessors selected by each party advocating each side of the case before the *panchayat*, as we find in the tribal councils among the Mundas and Oraons, for instance, in Chota Nagpur. Among almost all South Indian castes matrimonial disputes are sent, after a preliminary inquiry, by the village headman to the head of the *nadu*, who decides them with the help of a few village headmen. This is clearly a vestige of the Dravidian custom of the sanction of marriages by the chief.

Village Land Settlement—Question of Origins.—Turning to the agrarian settlement, we find that in the Munda-Dravidian village organisation *khunt* lots are divided into blocks, one for the chief's descendants, one for the *mahto's*, and one for the tribal priest's. Vestigial remains of this custom are still to be found among many Dravidian tribes and castes in the South, who still set apart the fines levied by the *panchayat* under three heads: for the *sarkar*, for the members of the *panchayat*, and for the priest. In Sandur State, Bellary, the first third is still paid into the State coffers, whence it is handed over to deserving charities. Among the Pallans of South India, a fine of Rs. 1¼ is thus apportioned: 10 annas goes to the *aramanai*, *i.e.*, palace or government; 5 annas towards feasting the villages; the *ilangali* and *odumpillai* receive 1½ annas each, the barber and *dhobi* 1 anna each. The village sweeper or scavenger, *kulawadi*, *tothi*, or *kotwar*, as he is variously called, is the guardian of the village boundaries, and his opinion was often taken as authoritative in all cases of disputes about land in many parts of India. This position he perhaps occupied as a representative of the pre-Aryan tribes, the

oldest residents of the country, and his appointment also may have been based partly on the idea that it was proper to employ one of them as the guardian of the village lands, just as the priest of the village gods of the earth and fields was usually taken from these tribes. The reason for their appointment seems to be that the Hindus still look on themselves to some extent as strangers and interlopers in relation to the gods of the earth and of the village, and consider it necessary to approach these through the medium of one or other member of the non-Aryan communities, who were former owners of the soil. The words *bhumka* and *bhuniya* for the village priest both mean the lord of the soil or belonging to the soil.[1] But with regard to the common ownership of the pasture-lands, water-courses, and the village temples in the Indo-Aryan village community, it would be difficult to say whether Munda or Dravidian institutions found ready to hand were copied, whether they were natural outgrowths of early Aryan tribal conditions, or whether they were inevitable under the conditions of Indian economic geography and physiography. We find in Manu that grazing grounds are the common property of the village; the people encroaching upon them are liable to penalties, and Yajnavalkya also lays down substantially the same rule. This was so even as early as the Vedic age, when it was called *khila* or *khilya*, as surrounding the plough-land. The village land appears also to include adjoining forest tracts, over which the entire village has a common right. Besides these, there were the water-course, the village temple, and the village gods, which were the communal properties of the entire village. And even with regard to the arable land occupied or cultivated by the villagers, which was considered to be the separate property of the joint families, we find a trace of the communal right of the village in the rule that such lands could not be alienated without the consent of the entire village (*Mitakshara*, chap. I., sect. I.). In such cases the question of origins is not easy to solve. A nearly certain test of Munda-Dravidian affinities may be found in the regional prevalence of the

[1] Cf. Russell. In the U.P. he is called *bhuinhar*.

worship of local spirits, and the sacredness ascribed to the earth, fields, and trees. This anthropological test should be applied for discrimination between Dravidian or Aryan political forms and institutions. Again, the data furnished by Comparative Ethnology help us a great deal in finding out the gradation of social values in Aryan origin and development, and in isolating, accordingly, the distinctive features of the Aryan polity.

Aryan and Dravidian features in the Village System.—Thus, difficult though it may be to sift the Aryan observances and rural practices, we may yet enumerate briefly the characteristics which bear upon the evolution of the Aryan village community :—

(1) The Aryan settlement corresponds to the Munda-Dravidian division of tribes and villages into exogamous clans ; but, unlike the latter, these are not totemistic, but eponymous. Common descent from a saint replaces connection of totem, even as the holding of land in common supersedes tribal bonds under the control of a local chieftain.

(2) Unlike the organisation of Munda-Dravidian settlement, which exhibits tribal government and a more or less centralised control under the divisional chieftain as well as elected or hereditary clan-chiefs, subsequently utilised as wardens of the outlying regions and connected by feudal ties, the Aryan settlement partakes of the nature of a group of self-governing village communities bound together by common descent, and paying a share of the crop (collected at harvest-time on the village threshing-floor) to the local *raja*. The Hindu *raja's* portions are usually allotted by counting groups of eighty-two, forty-two, or twenty-four villages, a practice which survives in various parts of Northern India. Local clan chiefs with appropriate allotments of territory pay no revenue to the *raja*, but help him in time of war. This system of chiefs in subordination to the king differs from the Western type of monistic feudalism in that they are held together by slenderest bonds, the fiefs being sometimes actually movable and unconnected with ownership of land. The king makes no claim to be owner of the soil ; the chiefs exercise a co-ordinate and quasi-

independent jurisdiction; and both the king and his chiefs are bound together by clan-relationship. This has been the general feature in the purely Aryan settlements, as in Mewar, Oudh, and Orissa. The more evolved form of the Hindu State, or the mere local lordship of the *thakurs* or *rawats*, *rajas* or *ranas*, *talukdars* or *zamindars*, adventurous *kshatriyas* or scions of noble houses in almost all parts of India, shows this peculiar type of pluralistic feudalism with its landlord estates and village communities on the Aryan clan basis.

(3) The Aryan tribal settlement brings to the fore ethnic distinction by creating two classes of villagers, the original conquerors or settlers or their descendants, and strangers or new settlers, upon whom a fee is levied. Cultivators other than the proprietary body are their tenants, though the manner in which this liability is distributed is different in different parts of the country. This distinction between a privileged and a non-privileged class is now most marked in the Panjab, the United Provinces and Oudh, and in the Rajput and Kunbi settlements in Western India. Such a distinction is always associated with conquest or usurpation by superior agricultural clans, castes, and families, or with grants of lands made by rulers, and is not to be found in settlements and expansions by a gradual peaceful process where there were no superimposed rights, at least as a general rule. Thus develops a distinction between what Baden-Powell calls a landlord and a *ryotwari* village community.

(4) Though tribal divisions of the territory are equally marked, the Munda-Dravidian system of the allotments of land set apart for the services of the chief of the district, and the elaborately organised system of remuneration of village officers (*servi*), bondsmen, and hired labourers, are absent. Village and district officers, originally appointive, and eventually hereditary, looked after the collection of the king's share in the crop and attested any sale of village lands in the Aryan scheme.

(5) The Aryan clans superimpose upon the agrarian distribution an elaborate kinship and caste organisation, according to which rights and duties in the village communities

are determined. Lands are subdivided among the various shareholders, at first in large family subdivisions, and these again in smaller shares on inheritance according to Hindu law. The proprietary body at the outset probably held their lands jointly in one or more of the forms in which joint tenure is possible, but subsequently lands were subdivided into definite family shares. The *samudayam* (Sanskrit), implying collective proprietary rights, was universal throughout the Brahman settlement in the Tamil country, and still prevails in many villages in every part of it; the periodical division of the cultivated lands of the village is not entirely forgotten in Tinnevelly, while in Tanjore, Madura, Dindigul, etc., the villager still claims to participate in the common lands, tanks, irrigation channels, threshing-floors, burial-grounds, cattle-stands, etc., or to use them according to the share or parts of a share he holds in the proprietary body.

(6) The local spirits or boundary godlings, clan deities of the forest where the village clearing was made, are gradually superseded by household and village gods as well as ancestral deities, though these latter are equally important in the Munda socio-religious system. The periodical sacrifices in the village temple, which replace the older communal feasts, serve to knit together the village community, and a close intercourse with strange and impure aboriginal races is avoided, though they are utilised as watch and ward, drummers, sweepers, etc., in the village festivals.

(7) The Aryan village community follows the open-field system, each of the equitable subdivisions of arable allotment being often given an appropriate name from the Epics. It recognises the joint ownership among the proprietary body of the common land, which is available for partition, or for lease on behalf of the community, or is used for grazing, etc. It equalises rights as regards meadow, waste, or forest. But it recognises much more generously than the Dravidians, the sacred and inalienable rights of families and individual households, independent alike of communal laws and communal economy.

(8) As contrasted with the Dravidian promiscuity, the

Indo-Aryan family stands forth before the world as free and self-supporting. Gardens or orchards are attached to individual houses, though the common forest, which is such a marked feature in the Dravidian village community, is also to be seen.

Finally (9), the Aryans superimpose an elaborate village-planning, stamped with ethnic distinction in the segregation of caste wards, and with the symbolism of the *Puranas* in the location of the presiding deities of the village and in the arrangement of village streets, courts, quadrangles, and temples.

CHAPTER XIV.

THE TRIBAL CONSTITUTION AND THE VILLAGE POLITY.

Tribal Union utilised for Revenue Purposes.—It is not merely among the Munda-Dravidian tribes and castes that the tribal divisions and political forms still persist and are fused into the system of government and land administration. Among the Aryans, Jats, Gujars, Rors, Syeds, and Pathans, etc., we find tribal village groups with a joint constitution throughout Northern India; the strong tribal union has been utilised by the imperial revenue system for treating the villages (or whatever forms anything like a community) as jointly responsible for the revenue.

Thapa Village Groups.—In the Panjab and North-West Provinces,[1] the *ilaqa*, or *thapa*, is still occupied by a number of villages all of the same clan; there are then subdivisions, within which we find a number of still large groups called *khel*. In many cases the *khel* itself is subdivided into a series, viz., into *kandi*, and finally into *thal*. Within these subdivisions come the families. Thus the village community does not wholly supersede the tribal organisation even in the Jumna districts, where the coparcenary community exists in vigorous perfection. Under the Mughals the revenue administration used to be based upon the *thapas*, the revenue being assessed upon the group of villages as a whole, and being distributed among them by the headmen of the collective villages under the presidency of the headman of the parent village. So, too, till British times, the definite boundaries which now separate each

[1] Cf. in particular Ibbetson: *Panjab Castes*; Crooke: *Tribes and Castes of the North-Western Provinces*; and Tupper: *Punjab Customary Law*.

village from its neighbours were very indefinitely marked, even in the cultivated tracts, as is proved by the manner in which they zigzag in and out among the fields; while in the common pastures they were probably almost unknown, as to this day the cattle of neighbouring villages belonging to the same tribe graze in common without reference to boundaries (*Panjab Castes*, p. 23). The primary subdivision of the tribes is into *thapas* or *thambas*. A tribal community having obtained possession of a tract, in course of time it would be inconvenient for them all to live together, and a part of the community would found a new village, always on the edge of a drainage line, from which their tanks would be filled. This process would be repeated till the tract became dotted over with villages all springing originally from one parent village. The group of villages so bound together by common descent form a *thapa*, and are connected by ties of kinship which are still recognised, the village occupied by the descendants of the common ancestor in the eldest line, however small or reduced in circumstances, still being acknowledged as the head. To this day, when a headman dies, the other villages of the *thapa* assemble to instal his heirs, and the turban of the parent village is first tied on his head. When Brahmans and the brotherhood are fed on the occasion of death, etc. (*meljor*), it is from the *thapa* villages that they are collected, and the Brahmans of the head village are fed first, and receive double fees. So among the lower castes, who still retain an internal organisation of far greater vitality than the higher castes now possess, the representative of the head village is always the foreman of the caste jury which is assembled from the *thapa* villages to hear and decide disputes. In old days the subordinate village used to pay some small *chaudrayat* to the head village on the day of the great *Diwali*. The head village is called "great village," the "turban village," the "village of origin," or "the *tika* village," *tika* being the sign of authority formally impressed in old days on the forehead of the heir of a deceased leader in the presence of the assembled *thapa*. Mr. Ibbetson says: "In one case a village told me that it had changed its *thapa*, because there

were so many Brahmans in its original *thapa* that it found it expensive to feed them. I spoke to the original *tika* village about it, and they said that no village *could* change its *thapa*. *'Put kuput hosakta; magr ma kuma nahin hosakti'* ('A son may forget his sonship; but not a mother her motherhood')." Very often a man without sons will settle his son-in-law in the village as his heir; or a man will settle a friend by giving him a share of his land.

The fiction of common descent, even in these cases, is preserved, as has been so well insisted upon by Maine. The man who thus takes a share of another's land is called *bhunbhai*, or "earth-brother"; and if a landowner of a clan other than that of the original owners is asked how he acquired property in the village, his invariable answer is, "*bhai karke basaya*" ("they settled me as a brother").

Tribal Thapas modified for Revenue.—The *thapas* above described are those based upon tribal organisation, and are still recognised fully by the Rajputs, especially in Kaithal, and more or less by the people generally. But the British revenue system, in adopting the tribal *thapa* as one of its units, somewhat modified its constitution. The revenue was primarily assessed and collected by the local *amil*, an imperial authority. But he worked principally through the *chaudhris*, or local heads of the people, who represented large subdivisions of the country, based, as far as possible, upon tribal distribution. Thus *chaudhris* existed in old days at Jundla, Panipat, Bala, and other places, and received an allowance called *nankar* in consideration of the duties they performed. They, again, worked almost entirely by *thapas*, the assessment being fixed for a whole *thapa*, and being distributed over the constituent villages by the headman of the villages, presided over by those of the *tika*, or chief village. These revenue *thapas* coincided generally with the tribal *thapas*; but they occasionally varied from them from considerations of convenience. Old *pargana* Panipat contained 16½ *thapas*, half Jaurasi having been separated by Farrukhsir (*Karnal District Gazetteer*, pp. 84, 85, 86).

Bhaiachara Villages.—Throughout the North, villages

thus belong to different *gots* (gentes), though it is by no means the case that their composition is absolutely homogeneous. Inside each village there are also often to be found two or three clans of distinct origins; the Jat villages are, however, more homogeneous. Sometimes the villages are held on ancestral shares by the descendants of a founder or a body of founders. Again, there is often no pretension to descent from a common ancestor, or the maintenance of ancestral shares; this gives rise to the *bhaiachara* villages. The land is divided out in *hal*, or plough-lands, a number being assigned to each family in proportion to its strength. The size of the *hal* varies with the character of the soil, being usually the area estimated to be ploughed by one pair of oxen. Nor are the holdings in one block, but (as usual in the genuine *bhaiachara*, or clan-fraternity method) the original distribution is generally most elaborate, the whole area having been divided into blocks according to quality, and each sharer being allotted a portion in each block; *i.e.*, the number of *hal* for each family consisted of specimens of each kind of soil, good, bad, and middling. These shares are observed in the division of any culturable waste and in apportioning the *malba* or joint expenses of the village community. They are not now made use of in paying the land revenue, which is met by an appropriate acreage rate on the area actually possessed by each.

Tappa Divisions of the N.W. Frontier.—In the North-Western Frontier districts there is also the similar tribal grouping of families and the recognition of different degrees of kindred which originate village location or allotment. The main tribes have each a separate tract of country, the *tappa*; the *tappas* are divided into *khels*, each having a central resident group and several hamlets. In many of the frontier settlements, series of invasions and migrations have, however, resulted in a demotic composition, and thus the procedure of village settlement is confined to major groups and sub-groups. This has, however, not prevented the custom of a periodical redistribution of holdings. Among the Bannuchi the ancestral division of the clan guides the distribution of land shares up to a certain point only, that

is, the termination of the original close kindred. Within the limits of each man's share there has been a sub-sectional apportionment of land and water in proportion to the amount of canal excavation work done. In this case water rather than land became the first thing definitely appropriated by sub-sections and individuals within the several sectional limits. By degrees the then existing canals were improved and extended and branch channels and new canals were dug. Shares were determined by the amount of labour contributed, and that seems to have corresponded with the measure of ancestral right. As new immigrants came, they were permitted subject to the payment of a water-rate; thus there were dominant groups who were both lords of the water and lords of the land, as well as dependent groups who possessed no shares and received water from some shareholders for certain services, such as performing canal labour, fighting, etc. Even now the amount of contribution of each village or individual is determined according to canal shares distributed over the *tappas*. In Banu, also, remnants of the system of periodical exchange or redistribution (*vesh*) are to be found. Formerly entire *tappa* divisions were exchanged, but gradually this proved uneconomical. In Marwat all or most of the territorial blocks (*wands*) into which each village is parcelled is held as communal property, which is periodically divided *per capita*. The position of each share or month (*khula*) is decided by lot; after the expiry of the term of a *vesh*, a majority may within any reasonable time demand a new partition, in which case a redistribution of the land is made. The following account of this kind of tenure by Mr. D. G. Barkley for the Administration Report, 1873, is interesting: "The remarkable feature in the redistributions Trans-Indus was that they were no mere adjustments of possession according to shares, but complete exchanges of property between one group of proprietors and another, followed by division among the proprietors of each group. Nor were they always confined to the proprietors of a single village. The tribe, and not the village, was in many cases the proprietary unit, and the exchange was effected at intervals of three, five, seven,

ten, fifteen, or thirty years, between the proprietors residing in one village and those of a neighbouring village. In some cases the land only was exchanged. In others the exchange extended to the houses as well as the land. Since the country came under British rule, every opportunity has been taken to get rid of these periodical exchanges on a large scale by substituting final partitions or adjusting the revenue demand according to the value of the lands actually held by each village; but the custom is in a few cases still acted upon amongst the proprietors of the same village, though probably no cases remain in which it would be enforced between the proprietors of distinct villages."

Panjab: from Tribe to Village.—The Panjab, in fact, affords a peculiarly complete series of stages between the purely tribal organisations of the Pathan or Biloch of the frontier hills and the village community of the Jumna districts. The territorial distribution of the frontier tribes is strictly tribal; each clan or each tribe has a tract allotted to it, and within that tract the families or small groups of nearly related families either lead a semi-nomad life or inhabit rude villages, round which lie the fields which they cultivate and the rough irrigation works which they have constructed. Shares in land and water were determined by the area of holding and the amount of canal labour contributed. Gradually land (and water) begins to be the basis of the social structure instead of kinship. The institution of the *hamsayah* among the Biloches and Pathans, by which refugees from one tribe who claim the protection of the chief of another tribe are affiliated to and their descendants become an integral part of the latter, is an admirable example of the process by which subjection to common authority is superimposed upon and ultimately regarded as the same thing with kinship binding communities together. Among the Biloches the tribe, or *tuman*, under its chief, or *tumandar*, is subdivided into a number of clans, or *parhas*, with their *mukaddams*, or headmen, and each clan into more numerous sects. This district tribal and political organisation is only to be found in Dera Ghazi Khan and its frontier. Elsewhere in the Panjab the tribal bond is merely of common

descent, and the tribes possess no corporate coherence. Among the Pathans each section of a tribe also has its leading man, who is known as *malik*. In many, but by no means in all tribes, there is a *khan-khel*, or chief house, usually the eldest branch of the tribe, whose *malik* is known as *khan*, and acts as chief of the whole tribe, but he is seldom more than their agent in dealing with others; he possesses influence rather than power, and the real authority lies in a democratic council, composed of all the *maliks*, called the *jirga*. The Jats and the Rajputs include the great mass of the dominant land-owning tribes in the cis-Indus portion of the Panjab. Predominantly military, pastoral, or agricultural, these, as well as the Gujars, Rors, Awans, Gokkars, etc., either are or have been within recent times politically dominant in their tribal territories. Very generally compact territories are held by them, even in the South-Eastern districts of the Panjab, where the village communities are the strongest. Where this is the case, the villages of the tribe constitute one or more *thapas*, or tribal groups of village communities, held together by feudal ties, and by the fact or fiction of common ancestry. The chief tribes have thus retained a large number of villages, as the coparcenary owners of single villages or even parts of villages, and they have retained their ancestral or some other recognised mode of sharing—a fact always indicative of strength of union or else of superior origin, and in either case of a strong landlord feeling. The common rule is not to parcel out all the estate, but to leave a portion in joint ownership. Tribal feeling is strong, and the heads of the village or local group of villages have great influence. The hereditary village artisans and employees owe their tribal allegiance to the agricultural communities, and we still find the tribal organisation of the territorial owners of a tract perpetuated in great integrity by the territorial organisation of the village servants, where all but its memory has died out amongst their masters.[1]

Features of Hill Tribe Organisation.—Among the Tibeto-Himalayan tribes, in Kulu and Saraj, for instance,

[1] Ibbetson: *Panjab Castes*; and Douie: *Punjab Settlement Manual*.

in the Kangra district, clan or tribal allotments were possibly the rule, but have now been obscured. The peculiar system of the allotment of holding, not in the shape of an ancestral or customary share, as in the joint villages of the plains, but rather in the shape of an arbitrary allotment from the arable land of the whole country, whose integrity is inviolable, may be connected with the custom of polyandry in these tracts. The fiscal unit adopted by the imperial revenue system was the *kothi*, which signifies the granary or store-house, in which the collections of revenue in kind from a circuit of villages were stored.[1] Leaving the Himalayan districts, we find among the Boro or Bada tribes of Assam a well-developed democratic tribal organisation on a matriarchal basis ; there is an elaborate division into numerous sects, and the executive consists of a body politic selected from wealthy and respectable men in each sect, which still elects the local *rajas*, or chiefs. Where they have come into contact with the Ahoms, feudal traditions have developed the *khel* system, with its overlord tenures, fiefs, serfs, and services. In some places the joint responsibility of the *khel* under the headman, called *muktar*, and the superior State representative, *raj muktar*, still remains, even as groups of *khels* so represented still form a *raj* or *raij*. Similarly the Khasis are divided into petty states or independent groups of villages, each forming a little republic under its own head. In the sister hills, the country is altogether under the chief of Jaintya, who appoints twelve local officials to carry on village affairs, in which they are even now little interfered with. Among them the numerous exogamous clans are based upon descent from a female ancestor. Inheritance is in the female line, and the woman is the head of the family. Among the Naga tribes occupying the hilly region between Manipur and the south bank of the Brahmaputra, the unit is not the village, but a subdivision of the tribe called *khel* (a word also used among the Panjab castes) or *tepfu*, exogamous, and said to be derived from a single ancestor. The villages, though nominally governed by a headman, are in practice independent democratic units. The Sema or Sima

[1] Cf. District Gazetteer, Kangra.

region (a word also used among the Coorgs), under another adjacent tribe of the same group, has a hereditary headman or chief, who, however, exercises considerable authority and privileges. The Luseis live in villages under one of the petty chieftains, who is entirely independent but has recognised duties to his fellow-villagers, and in return receives a certain share of each man's crop. The village is stockaded, as are those of the Naga, but is laid out differently, the streets radiating from some central open spot, facing which is the chief's house and the *zawlbuk*, or guest-house, where the young men of the village and any strangers sleep and the chief's meetings are held. The chief settles all disputes in a village. There is a regular code of punishments for different offences, the chief receiving a share of every fine levied. He has several advisers, called *upas*. They have the first choice of *jhum* land when the chief arranges where the *jhums* are to be, and sometimes the chief allows them to take a basket from each house. The other village officials are the crier, who goes round the village after dark, shouting out the chief's orders, the blacksmith, and the *puithiam*, or sorcerer, who performs sacrifices in cases of illness; these persons generally receive a donation of rice from each house in return for their services. The village and its constitution present many interesting points of difference amongst the wilder tribes, and, while most of the latter are content with the rude jungle cultivation which prevails amongst the Kol tribes, others have struck out a line of their own and grow superior crops, and in one case by means of an elaborate and almost unique system of irrigation. Some tribes are divided into exogamous clans, mostly totemistic; others live in village communities, each under its own headman, independent of the rest; others, again, acknowledge the sway of a local chieftain owning several such villages.[1] In the Chittagong hill tracts [2] each village community is under its own *raoja* or *karbari* (headman), and they own tribal allegiance to the *bohmong* as the chief of the country. The chief is the recognised head of the village, and his word is law to the inhabitants. He settles all disputes that may

[1] Baines: *Ethnography*. [2] District Gazetteer.

arise. To assist him, he has three or four headmen chosen by himself. These men form a council, and are called by the Kukis *kaunbul*. These men are supposed to advise the chief on all matters of State, and all negotiations with foreigners are carried on through them. Every house in the village contributes towards the chief's maintenance.

Conclusions from Comparative Studies of Tribal Organisation.—Prof. Vinogradoff's remarkable studies of Greek, Welsh, Slav, and Teuton rural practices have established the following conclusions :—

(1) The kindred, as a variety of clan system, was formed by the alliance between agnatic households for purposes of defence and mutual help. It involves a subsidiary recognition of relationship through women.

(2) The arrangement of agriculture on the open-field system, based on the solidarity of the groups of neighbour cultivators, was originally conditioned by kinship.

(3) The transition from tribal to village communities was brought about by a standardisation of holdings, which aimed at establishing a fair proportion between the rights and the duties of the peasants.[1]

We thus see how the Indian tribal organisation and land tenure correspond with the other types of Aryan organisation seen in the West. We have shown that in the North-Western Frontier districts the arrangement of agriculture was governed by the clan distribution, and occasional or periodical redivision of holdings testify to the effective overlordship exercised by the *khels* over the whole tribal region (the *tappa*). During the movements of tribes like the Jats, the Gujars, Rors, etc., along the river in the South-Eastern districts of the Panjab, they exhibited the same group solidarity and control of the landed property of the household by the tribes which characterise the tribal communalism of the Pathans and the Biloches of the North-Western districts. Here, and especially in the Jumna districts, have developed the closely knit and compact *bhaiachara* type of rural settlement. In some tracts, on account of the encroachment of rulers, the *zamindari* type has developed and

[1] *Historical Jurisprudence*, vol. I., pp. 342, 343.

obscured village rights and duties, which are to be ascribed to communalism ; yet the common village fund (*malba*) and the common lands (*shamilats*) still remain as evidences of the communal element in village life.

Tribal and Communal Traditions in the Village.— Remnants of the clan territorial distribution and village settlement, with its socio-juridical organisation on a tribal basis, as well as the economic tendency towards a distribution of land *per capita*, at least after certain main divisions based on kinship are passed, are still to be found throughout Northern India. Instances of clan areas with their groups of villages are most frequent. It is noteworthy, also, how the fiction of common descent is preserved even under circumstances which encourage admission of strangers into tribal organisation. In spite of unions of groups of adjoining villages in troublous times for common defence, or the British confusion between ancestral sharers and cultivating tenants in the village communities, ethnic ties have still been found strong enough for the application of the principle of joint responsibility as regards revenue. Indeed, the general tendency of the North-Western settlement has been to preserve the village bodies, and in the Panjab plains this has been carried out fully, the settlement having created village communities in certain parts by granting waste lands for the enjoyment of a group of holdings in common. In the United Provinces of Agra and Oudh we frequently come across the clan area, the *tarf* ; the *thok* is a sub-group, which usually becomes the administrative village, and this again is subdivided into *pattis*. The clans are very largely Rajput, Jat, Bhar, and Ahir, and some are Muhammadans, who came with the successive invasions. It is very characteristic that we sometimes find that the lands of the clan area, the *thok*, are taken, a part from each different soil area, and are scattered over the whole *tarf*, so as to secure equable distribution. Village lands also are distributed by standard lots in the same way, agricultural customs are recognised, and any disputes that arise are settled satisfactorily by the *panchayat*, which, with other *bhaiachara* institutions, exists in great perfection. Internal troubles destroyed

in many cases these democratic clans, and villages came to be acquired by local headmen, by managers and revenue-farmers. Overlordship by adjoining *thakurs*, or chiefs, was freely accepted, and not infrequently invited, by local cultivating bodies. The vicissitudes of war and migration have often obliterated any traces of clan fraternity, while the ignorance of the early British settlement officers often destroyed the communal principle by vesting the ownership in any persons who became responsible for the revenue in circumstances when only such persons should be recognised. But whether villages are relics of former kingdoms or chiefships, or of democratic clan settlement, whether their composition has now become heterogeneous on account of the influx of new settlers or their communal tenures have been obscured by the importation of the Western idea of individual proprietary right, the juridical traditions of clan government and the economic traditions of the village community and communal tenure have survived, and are still vital forces for the reconstruction of the village polity.

In the South, remnants of the clan distribution and settlement are met with in the *nadu* divisions; the *desam* and the *amsam* are sub-groups, which usually represent a group of villages; the smallest subdivisions are the *taras* or *karas*. The clan distribution is more marked in Malabar, Cochin, and Travancore than elsewhere in the Madras Presidency.

In spite of the encouragement of individualistic tendencies by the British revenue settlement, vestigial remains of the effective overlordship of the tribe or clan and of natural husbandry are still to be met with in many parts of India. In many provinces economic and tenurial units are still standardised on the basis of natural husbandry. Thus lands are divided according to the number of *baskets* of seed, or in *hal*, or plough lots, and the *hal* is usually the area estimated to be ploughed by one pair of bullocks. In Bombay, villages are often reckoned as consisting of so many *cahar* (*i.e.*, areas worked by four pairs of bullocks). Recognised fractions of this were *pain*, or fourths. There are, of course, different standards of various localities corresponding to the English poles, ells,

roods, etc. The overlordship of feudal nobles and revenue farmers, Mughal or Mahratta, has led to the break-up of holdings or their accumulation in arbitrary combinations, while the pressure of population and of taxation, as well as landlordism, has encouraged in more recent times the reduction of holdings to standardised types.

Tribal System superseded by Village System.—In every case, however, the tribal system was either dissolved or transformed into the village communal system. It is only in isolated districts in India that it is still found to exist by developing into complete clans. The substitution of strangers for kinsmen began long ago; the cultivator settles a stranger as a *bhuin-bhai* (a soil-brother), who thus receives the same status as that of the original owners. This process is similar to the case of the Welsh *weles*. The process of transition also involves a regularisation of holding, and a change from apportionment of shares according to the rules of descent to an apportionment according to economic standards. This side of the process gives a special significance to the Panjab customary law, and Madras *mirasi* custom, which may thus be compared with Scandinavian, and more especially with Swedish and Danish practices. Special attention should be drawn, in the study of Indian village tenures, to the following:—

(1) How far lands are found to be scattered in each different soil area;

(2) How far meadows are still taken by rotation or by lot;

(3) How far customary standards hold their ground as regards holdings; and

(4) How far outsiders have been given similar rights in the waste and pasture as the original settlers.

In the Eastern districts of Madras the supercession of the clan system by the village communal system has been complete. The agrarian distribution on the open field system based on the solidarity of castes was originally conditioned by kinship, but now strangers have been introduced. It is true that, as in the later Russian *mir* or the *zamindari* village of North India, it is not used by the central

authority as a material basis for revenue burdens laid on the people, but the common waste and pasture and even occasional re-divisions still persist. The maintenance of a common fund or the shaping of village custom and village husbandry by *panchayats* are not confined to the North Indian villages with their more or less complete clans : they are also to be found in the South, where the Aryan admixture with the Dravidian peoples has evolved a more complex communal system. Similarly in the Dakhan villages in Bombay the common village expenses are met by a cess levied as *mushahara*—a cash percentage on the revenue over and above the State revenue. The communal maintenance of temples, *chawadis*, etc., and the joint management of expenses belonging to the community as a whole still persist as before. Everywhere the village communal organisation has replaced the older clan and family organisation.

Clan Connection with Village.—In India, since the clans lived in separate villages, and were exogamous and reckoned descent along the male line, they took a special course because their members lived in one or more villages. In the Central Provinces[1] one of the names of the clan is *khera*, which also means a village, and a large number of the clan names are derived from, or the same as, those of villages. Among the Khonds all the members of one clan live in the same locality about some central village. Thus the Tupa clan are collected about the village of Teplagarh in Patna State, the Loa clan round Sindhekala, the Borga clan round Bongomunda, and so on. The Nunias, of Mirzapur, Mr. Crooke remarks, have a system of local subdivisions called *deh*, each subdivision being named after the village which is supposed to be its home. The word *deh* itself means a site or village. Those who have the same *deh* do not intermarry. In the villages first settled by the Oraons, Father Dehon states, the population is divided into three *khunts* or branches, the founders of the three branches being held to have been sons of the first settler. Members of each branch belong to the same clan or *got*. Each *khunt* or branch has a share of the village lands. The Mochis or

[1] Russell : *Tribes and Castes of the Central Provinces.*

cobblers have forty exogamous sections or *gotras*, mostly named after Rajput clans, and they also have an equal number of *kheras* or groups named after villages. The limits of the two groups seem to be identical, and members of each group have an ancestral village from which they are supposed to have come.

Tribal Communal Feasts.—It seems that, during their early settlement, the Aryans retained their tribal constitution instead of expanding it into a national one. And the members of the clans within the local area gather for a communal sacrifice. The periodical sacrificial feasts by which their unity and the tie which bound them together was cemented, has its counterpart in the West in the Roman communal sacrifice, the *suovetaurilia*. The Dravidians, who could not join in the sacrifice at all, had their own communal feasts, which were preserved and adapted to the new groupings by occupation.[1]

Evolution of the Indian Village Community.—Thus, beginning in tribal origins, we proceed to a demotic and differentiated social composition and constitution, the village community proper in the fertile plains and valleys of India. Outsiders are associated whose rights have been acquired by purchase or by their having been jointly assessed in payment of revenue in old or modern days. New colonists settle and new court-yards are made, separated by lanes from the older enclosures, and thus by degrees the village grows until it comes to consist of a number of separate wards, each usually inhabited by the same caste. There is imported the full staff of artisans and higher and lower functionaries, who are given allotments of land or are paid in shares of grain at the harvest. The ecclesiastical staff has also its place in rural economy, its share of village land or emoluments. Individual tenure supersedes the communal tenure. But the waste land is a common pasture for the cattle of the village; its external boundaries are carefully marked and maintained as a common right of the village, or rather the township, to the exclusion of others. Adjoining villages combine in the same way as tribal aggre-

[1] Russell: *Tribes and Castes of the Central Provinces.*

gations. There are unions of five, seven, or hundred villages, and their vigour and resistance of those who, in every age and region, have attempted to encroach upon their autonomy, have depended upon particular political conditions and circumstances. Thus, in India, the whole framework of the interior management is represented by the congeries of little republics, whose internal constitution and condition remain unchanged, and which have still survived conquests, usurpations, and revolutions that could only affect the control of imperial governments.

CHAPTER XV.

THE VILLAGE PANCH: AUTONOMY AND EXPANSION.

Village Communal Institutions.—It is in South India that the rural administration has preserved intact the most complete picture of an autonomous and self-managed community recorded in annals and epigraphs, in spite of dynastic wars and political revolutions, in the fertile agricultural districts. Here the village communities still possess in themselves all the elements that go to form a strong corporate spirit: a common temple and a feeding house, in which the villagers collect and gossip; a village police, and a complement of artisans and other functionaries, to whose support every one makes a ratable contribution; pasture-grounds, cattle-yards, and threshing-floors, common to all; often tanks and irrigation channels, in the repair and maintenance of which almost all alike have an interest. All villages have their common funds, often called *padupanam*.

Village Sources of Revenue.—The sources of village taxation which I have found in one district after another in the Madras Presidency are:

(1) Marriage and burial fees.

(2) *Mahimai*, taxes on carts which carry away grain from the village.

(3) Taxes on artisans, on oil-mills, and on looms. The most significant instance of a tax on looms is to be seen in Mannargudi in Tanjore. (Inscriptions No. 261 of 1909, No. 567 Cuddapali district, and No. 15 of the Nasik series refer to taxes on oil-mills and looms.) In Tinnevelly *kaikkilaiyans* as well as Muhammadan weavers pay a fixed sum on every loom to a common purse.

(4) Market fees, for instance, 1 anna for cart, 3 pies for

a bag, 3 pies for goat, which go to the temple: with this compare inscription No. 242 of 1892, which refers to the *mulavisas* where tolls were paid; viz., at Vasaula *garuvas*, water-sheds, salt-beds, market-towns, roads to towns of pilgrimage, at the rate of half a *padikamu* on every bag of certain articles, one *padikamu* on every bag of certain other articles, one *damma* on every bag of some goods, two *dammas*, three, four, six, etc., on still others. A double bullock-load of women's garments had to pay a *chavela*. The inscription is dated 1520 A.D.

(5) During the harvest season, temporary stalls are erected near the threshing-field for the sale of betel-leaves, areca-nuts, sugarcane, and confectionery, and the lease money goes to the common funds. With this compare inscription No. 321 of 1910, which records that the assembly of Nalur sold the right of collecting the tax called *angadi-kuli* from stalls opened in the bazaar to a temple. The fees are specified to be one *nali* in kind in each measurable article of paddy, rice, etc., brought for sale from towns outside Nalur; one *palam* of articles sold by weight; one *parru* on each basket of betel-leaves; and two nuts on each basketful of areca-nuts.

(6) The communal holding of village lands was the rule in the past, and even to-day we find in many villages an important income of the village accruing from the communal land or from the annual sale in auction of the right to the fishery of the tank and from trees which are generally owned by the whole village. Caste obligations, as well as shares of each harvest to be paid by householders to the village artisans, employees, and watch and ward are imperative now as in the past (inscription No. 324 of 1911).

Other present sources of village funds are lease-money for the grazing of ducks on wet lands, for the manufacture of saltpetre on the village house-site, for the privilege of monopolising sale in certain commodities, etc. In inscription No. 353 of 1904, we find that the people of a village made a similar agreement with two persons who, in return for the privilege of levying brokerage on all the betel-leaf imported into the district, would supply 30,000 areca-nuts

and 750 betel-bundles every year. The people of the district and " the 500 constituting the *padai* (army) of the district " were to supervise.

The extent of the communal income of the village amounts from Rs. 200 to Rs. 50,000. In South Indian villages the income is generally a thousand or a couple of thousands. Some of the *karayogams* on the South-West coast have amassed large sums for communal purposes in different ways. Thus among the Izhavas at Cherai, in Cochin, the *karayogam* has collected a sum of Rs. 60,000 ; and at Vycome and Muthakuna in Travancore the village assembly has accumulated more than Rs. 100,000.

The sources of village taxation that still survive are indeed multifarious : they vary from district to district and from village to village, and it would have been an interesting task to compare and contrast in detail the present items of village revenue with those we meet with in the inscriptions and also to indicate their adaptation to the special social and economic conditions of each region. Space does not permit a more detailed treatment : let it suffice to observe that the scheme of taxation still exhibits an unusual business capacity of the village assemblies of to-day. In fact, the scheme of *padupanam* and *mahimai* of the districts of the Madras Presidency continues the traditions of the autonomous local bodies and village assemblies of the past whose sources of income were exclusively derived from the village, such as *padaippanam*, *idankai*, *valankaipanam*, *prachandakanikkai* (40 A-B, Travancore State), *perakadamai* (on individuals), *tarikkadamai* (on looms), *attaikkanikkai*, *nattuviniyogam*, *pattirai*, *padavari*, *almanji*, *arisikanam*, *konigai*, *viri muttu*, *vanniyavari* (30 of 1913, Trichinopoly district), *antaraya*, *vetti*, and other taxes like those on documents, *ajivakas*, cloths, oil-mills, washermen (74 and 75 of 1887, Arcot north district, which is of value in enumerating all items of village revenue).

Village Expenditure.—In many of the South Indian villages the costs of repair and improvement of minor irrigation channels are still met out of contributions levied according to the number of *karis* under irrigation ; the

custom of *kudi-maramat*, still vital and effective, represents the joint responsibility of the villagers to repair and maintain irrigation under the supervision of the village assembly by cesses or by compulsory labour levied according to the areas under irrigation owned by the households.

The village assemblies utilise their common funds for the maintenance of the tanks and irrigation channels, the expenditure on the daily rituals and periodical festivals of the village temples, the maintenance of the guest-house for strangers, the payment of wages to the village accountant and treasurer and to the petty village employees or temple functionaries, charity to the poor, gifts to learned *shastris*, communal recreations, such as village plays and wrestling or acrobatic feats. Agricultural loans are sometimes advanced from the *padupanam*, *nidhis* or agricultural banks are not extinct, and in Coorg temple-bulls are lent for agricultural purposes. In these the village elders are following the traditions of the past, while the artisan castes still gladly accept their joint responsibility and the burden of expenditure for conducting a few days' festival, even as the twelve families of fishermen dedicated themselves for conducting a seven-day festival by paying a tax of three-quarters *kalanju* per head earned by them "either by weaving or by venturing on the sea." Gifts of land for maintenance of a village tank, a guest-house, a flower-garden or a water-shed, of money for offerings, lamp, oil, ghee, betel-leaves and areca-nuts, red and blue lotuses for village temples are still made; schools and *sattrams* are endowed; merchants set apart on marriage occasions a certain amount of money to be spent for repairs of important temples or collect a *mahimai* for building new ones; even dancing-girls of village temples bequeath at their death large sums for digging a big tank or for building a *choultri*.

Village Councils and Functionaries.—The village *panchayat* is composed of different caste-people, Brahmans and Sudras, representatives of all the communities, excepting the "untouchables"; there are, again, sectional *panchayats* which deal with disputes of particular castes, while all things that pertain to the whole village are decided by

the village elders. We do not usually meet with the different village committees for the management of the different spheres of rural economy. But there are usually to be found the important village officers, headman, the accountant, and the treasurer ; there are the village scavengers and the village watch and ward, and the full staff of artisans, carpenter, blacksmith, potter, etc., often still enjoying *manyam* lands. In addition there is the irrigation-man who is in charge of the distribution of water in the village, and is to be found in those provinces which normally depend upon irrigation water for agriculture.

There is the water-carrier in the dry regions of the Panjab. There are bards, minstrels, priests, astrologers, and playwrights in almost all tracts. The erotic accompaniments of the ethnic religions, which have universally created bands of female religious ministrants and attendants, virgins, *devadasis* and *basvis*, grouped round temples and shrines, have assumed a peculiar form in the South. The exorcist and the sacrificial priest are representatives of the forces of magic and shamanism. In fact, the organisation of village services and their relative gradation and status have varied from province to province and even from district to district owing to economic conditions, whether physiographical or social, and the force of traditional and customary social values. In the Christian villages, in addition to the necessary village artisans and employees, there is to be found a hierarchy of Church functionaries whose status is the result of the social values of the Christian scheme of life. The village assembly as a whole generally governs the affairs of rural economy, the management of the school, the organisation of temple labour, sanitation, and police, but it sometimes resolves into smaller bodies for the decision of disputes, the management of the common lands, or of temple funds, the arrangements for a new gift or transfer, etc.

In the South, one may come across a tank-committee in the *sethis* of Ramnad and Tinnevelly districts. All cultivators whose lands are irrigated by a particular tank are members of the particular *sethi*. The headman is called *karaiswan*, and he looks after the maintenance of the tank,

levying contributions from the people under his *ayacut* or borrowing from other *sethis*. The Temple committee is oftener met with in different parts of India.

Bombay Village Organisation.—In Bombay the organisation of village communities has still preserved the same type, with regional variations. At the head of the village is the *patel* or hereditary headman. In many villages two or more families either each provide an official or serve in rotation, but in most villages the headman is always taken from the same family. There is also the *kulkarni* or village accountant. The duties and position of the *deshmukha* or district-head, and the *deshpande* or district clerk, formerly corresponded for a group of villages to the duties of the *patel* or village head and the *kulkarni* or village clerk in one village. Under the British system of land management no duties attach to the offices of *deshmukha* and *deshpande*. The British system of management and collection superseded the *peshwa's* district system, but the village system had to be retained. Ordinary villages have a varying number of employees, and every village has at least the *patel*, *kulkarni*, *mang*, and *mhar*. The village artisans and employees are still paid either by grants of rent-free government land, and partly by a fixed proportion from each harvest. The *haks* or fees for remunerating the artisans remain as always. The *patel* and the *kulkarni* (sometimes also the *mhar*) have various personal dues, the sources of which are as below :—

(1) Fee on documents of sale, whether of the produce of a field or anything else ;

(2) *Zakat*, a toll of a *paisa* per head on bullocks laden with merchandise entering the villages ;

(3) An allowance paid on opening a store-pit and selling the grain ;

(4) A toll on sale of greengrocery.

It is not always easy to distinguish those imposts that go to the *patel*, the *kulkarni* or the *mhar*.

Certain common village expenses, called the *sillar* and *sadilwar*, *e.g.*, travelling expenses of village officials on duty, holding festivals and entertainments for village alms and

charity in certain cases, finding oil for lighting the public meeting-house, stationery for the clerk, etc., are met by a cess levied as *mushaharas*, which is a cash percentage on the revenue (25 per cent., more or less, according to the place), over and above the land revenue. Lands for the temple were called *devasthan*, others for various charitable and religious maintenances and apparently for other public purposes are called *dharmadai*. The *dharmadai* seems to have been a head under which a number of purposes could have been included; such as paying for oil to light the meeting-place. In the Gujrat districts, in particular, we find many free lands for payment of village servants or for religious and charitable grants or lands "mortgaged on account of the whole village" to pay the village revenue.[1] In some districts contributions for repairing temples, *ganga-jatras* and other works of religion and charity, for digging tanks, filling up roads, etc., are still levied on holdings and ploughs; fuel is gathered from common lands about the village and *busti* lands near the hills; and for two generations after they arrive a family of new-comers do not get the full rights of villagers. Religious and caste disputes and disputes regarding the sharing of ancestral property when the amount is not large are still referred to village councils. Besides the *patel* and the *kulkarni* there are five *panchayats* in the village council, which include representatives of the Brahmans, the Mahrattas, and other castes. The *patel* and the *kulkarni* would draw up the *patti* or subscription list for common purposes. There are separate caste *panchayats* for separate castes, while there is also the *bara-panchayat* when an affair concerns several villages. The Borsad *taluka* of Kaira, for instance, shows the most complete system of village *panchayats* represented by a central committee of fifty-three members, which in turn has a *sarpanch* of eleven. There are also village funds put out at interest. In Kapadvanj and Broach there are relics of an older feudal system with presiding *thakur*, who summons all meetings and is a final court of appeal. Usually, where the caste *panchayat* is a living force, there are village *panchayats* to decide smaller

[1] Baden-Powell: "Study of the Dakhan Villages," *J.R.A.S.*, 1897.

questions, and a central court of appeal to deal with more important matters and revise, if necessary, the decisions of the lower court. The larger trade guilds of Gujrat are the best illustrations of mixed local bodies. The artisans and traders of Kathiawar, Cutch, and Baroda have central *panchayats* at important trade centres as well as permanent village *panchayats*. Sometimes the fines imposed by the village *panch* are credited to the village *panch* accounts, and those imposed by the central *panchayats* are equally divided among the villages under their jurisdiction. These funds are administered by the *shetias*, and spent on repairs to communal rest-houses, religious charities, help to the poor, etc. The *nyat panchayat*, or caste committee, takes cognisance of all matters, whether social or professional, which concern the caste, *e.g.*, fixing rate of wages, hours of labour, holidays, breaking caste rules, giving permission to marry a child outside the limits of the area fixed for contracting marriages, granting divorces, etc.

Three Types of Indian Village.—The prevalent form in Madras and Bombay is the *ryotwari* village. This is probably of the most ancient type, and this owes its original existence to settlement by some tribe or clan which already possessed a leader. The headman who is such a leader has been recognised by the British government, and taken into its service as an intermediary, not necessary but adventitious, between itself and the villagers and made hereditary. Individual assessment, however, has divested him of the great influence he formerly wielded as the representative of the village in all its dealings with governments of the past. The corporate life of the community is, however, comparatively less disturbed here. In the case of the British *zamindari* or landlord system of Bengal and Bihar, on the other hand, the chief men of the village will necessarily be the landlords (or their clerks and subordinates) with whom the settlement is made, and who are responsible to government for the payment of land revenue. In the *zamindari* system the system of co-operative village administration, therefore, languishes, and village councils degenerate. There is again a third type of village, viz., the joint village, where there

is no longer a body of cultivators, each of whom has his own independent rights as in the *ryotwari* system. Some of the villagers claim the ownership not merely of the fields they cultivate, but of the whole of the village lands. The management of the affairs of the joint body is properly by a committee of heads of houses. The joint village does not possess a recognised headman. Latterly, the government has found it necessary to institute a species of headman for these villages also, but such men are merely representatives of the joint proprietors in their dealings with the government. He is called *lambardar* (holder of a number), and his office is allowed to be in some degree elective. The joint village is the prevalent form in the United Provinces, the Panjab, and the Frontier Province. Remembering the three district types of villages, we can at once indicate the relative importance of the functions of the headman and the strength of the village co-operative organisation in different parts of India:

Village Type.	*Headman and Organisations.*
I. The village under the permanent settlement in Bengal and in parts of Bihar, and Orissa; in Oudh, the United and the Central Provinces.	The village headman, *mukhya*, *mandal*, or *pradhan* is often a mere creature of the *zamindar*. The communal village system cannot prosper in the presence in the locality of the strong landlord and his minions.
II. The *ryotwari* village in Madras and Bombay.	The great change in the revenue management, under which the amount of each cultivator's payment was fixed by government officers and not left to be adjusted by the community, lowered the position and authority of the headman. He has now become a servant of the State and is paid for his services in cash and land. In Madras the village headman, *munsif* or *manigar* and the village accountant, *karnam* or *kanaka-pillai*, still retain their hereditary dignity and rights, and often their rent-free plots of land (*maniyam*) or are paid a fixed salary by government. The headman still holds a high position in the village and as the social head leads all social and religious festivals, and has precedence in all domestic ceremonies of the villagers.

The hereditary *patel* is found in all the different divisions of the Bombay presidency, but the *kulkarni* or *talati* for historical reasons only in the Deccan and Southern Maratha country and not in Gujrat or the Konkan. The sources of income were: (1) land, for the most part exempt from rent; (2) direct levies in cash and kind from the *ryots* or compensation in lieu thereof; (3) cash payments from the government treasury.

Their salary is fixed by a scale with reference to the gross revenue of the village.

The corporate life of the village community is seen in its strength and vigour so far as possible under *Pax Britannica*.

III. The joint village in the Panjab and the United Provinces.

The *lambardar* (headman) and the *patwari* (accountant) are not so strong in position and sometimes have too little influence. There are sometimes too many *lambardars*, one for each section; the *patwari* is usually appointed not to a single village but to a circle of villages.

Villages of Northern India.—In the Panjab the groups of hamlets are often held together by strong ties. The rights of cutting wood and grass in the waste are sometimes held jointly by the *ghori* and fines imposed on the *tahsil* are levied by realising a fixed sum from each *ghori*. There is a still larger unit called the *pargana*. This comprises a group of *ghoris*, usually three in number, and is administered by a *dashaungi*. The *ghori* again is under a *char*, and the hamlet under a headman who bears the modern title of *lambardar*. In some *tahsils* the large *parganas* are each under a *palasara*. The *pargana* appears to be a well-defined and very ancient unit. It was often administered in former times by a *kardar*. The *kardar*, or appraiser of land revenue, is the worst enemy of the village community, and the Muhammadan or Sikh *mahtas* are now followed in their wake by British revenue-middlemen. On the densely populated banks of the rivers the villages are still compact communities, and even to-day we find new village communities with their whole staff of officials, artisans, and employees developing in the canal colonies of the Panjab.

In the village of the North we frequently come across the common village funds called the *malba*. The sources of village revenue are as multifarious as in the Madras Presidency, and include not only the sale or lease of common

lands, the sale of *rehi*, the manufacture of saltpetre, but also the tax on *hals* and the hearth-tax (*kurhi kamini*) paid by artisans and shopkeepers, non-cultivators, and a portion of the village grain-measurer's realisations.

The village common is often thus a source of definite income by the sale of the right to extract saltpetre or other natural products, and in many villages the non-owners are still charged grazing-fees, *charia*. In a large number of villages *poui*, or a cess on all grain bought and sold in the village, is still levied, but, with the spread of market facilities, this is a declining source of income; the right to collect the *poui* is generally contracted out to the village *toula* or grain-measurer, who, as a rule, also keeps the account of village funds. Another cess is that levied on village priests, employees and traders. On the occasion of marriage in a family, a cess is levied in villages, which is usually known as *marvana*. In the United Provinces, Bihar, and Bengal striking instances are met with of a vigorous village co-operative organisation under a headman, whose office is either hereditary or elective for life, and whose names are many, varying with locality. *Chaudhuri* is the most common title, others are *padhan, mahto, jamadar, takht* (throne), *mukkaddam, badshah, mukhya*, etc. Their generic term is *sarpanch*. Besides the headman there is occasionally a functionary whose duty is usually that of vice-president or else summoner of the court. His name also varies: *munsif, darogha, sipahi, naib-sarpanch, chobdar, charidar, diwan, dhari, mukhtar, piada*, are some of them. The *panchayats* deal not only with social matters, but also matters which would come normally before a law-court, whether civil or criminal, are usually discussed in a *panchayat* before the courts are moved and finally decided there. For graver offences the *panchayat* of several villages meet under a *sarpanch*. In Bulandshahr every 100 villages or so has an hereditary *chaudhuri* with two *diwans*, whilst each village has a *mukaddam* which decides minor cases. In Almora the *panchayat* is described as a primitive court of justice: the accused, if found guilty, has to sign a *kailnama*, or admission of guilt, which is countersigned by all members of the *panchayat* and handed to the

complainant. There is also a regular *dharmadhikari*, who is a Tewari Brahman, who fixes the punishment in such cases; elsewhere any *dharmasashtra* Brahman (*i.e.*, one learned in the law) may be called in. The *jeth-raiyat* or village headman in the Bihar villages and the village *mukhya*, *mandal* or *pradhan* in Bengal, though their powers are circumscribed by the *zamindar* and by his agents, are still the representatives of the villagers in matters of general or individual interest, and protect them from the landlord's oppression. In Bihar, the *panchayat* is a permanent institution consisting of all the village elders, for the time being of one or more villages of a local area who meet under the presidentship of a *mandal*, when occasion requires. A number of *mandals* are headed by a *sardar*, who exercises jurisdiction over several *panchayat* units. Again, several *sardars*—sometimes as many as fourteen to twenty-two—are headed by a *baisi sardar*. The jurisdiction of a *sardar* extends over eight to ten units, and the jurisdiction of a *baisi sardar* extends over fourteen to twenty-two units, and may consist of a whole *pargana* or a couple of *parganas*. In Orissa there is also an organised system of self-government for each caste. The headmen are called variously *behara*, *padhan*, *thanapali*, who exercise authority over single village or groups of two to six villages. Over them, again, are superior officials called *mahantas*, *sardar beharas*, etc., with jurisdiction over large areas, *e.g.*, fifty to sixty villages. In Bengal the unit of caste government is the *samaj* or association, which has in this connection a restricted special sense. It is, in fact, the administrative unit, and there may be one or more in a village, or, usually, one *samaj* may comprise a group of villages. The decisions of this corporate body are strictly followed in all matters, and its seat is either the *chandi-mandap* of an influential leader or the *hari-sabha*, the village hall for worship and song. The influential men of all castes may attend, while the lower castes have their own council, with their extending circles of jurisdiction. The *chandi-mandaps*, *thakurbaris*, *mahantas' muthas* or *gossains' sattras*, are the social centres from which still radiate the decisions of the community in case of petty disputes or the impulse

which establishes schools and temples and organises village plays, religious recitations, songs and processions as well as periodical worship and popular entertainments by the levy of subscriptions (*marcha*) or marriage fees or contributions of a certain percentage of trade profits (*britti*) or even the construction and repair of little distributing channels by communal labour as in the hill districts of Assam. Similarly the *uriya gaontia* or village headman and his council sit in the *bhagavatgadi*, deal with social matters and village disputes, arrange for the recitals of the *Bhagavata*, and attend to the details of economic management of the village, including the distribution of water among tanks. In the *Sasana* villages, that is, those which have been rendered as gifts to Brahmans in Orissa, there is an elaborate communal organisation still observed. There are the barber, the astrologer, the carpenter, the blacksmith, the washerman, the accountant, and the watchman, who each enjoy eight acres of rent-free land. Each caste has its own *panchayat*, but this is subordinate to the general assembly of the caste, *jatian*, of which every casteman is a member. The assembly of the entire village is called the *mahajan*, which decides disputes and manages the *kota* or common land of the village as well as the *debottar* lands, especially endowed for the maintenance of temples. The common lands are used for fuel and pasturage. New Brahman settlers cannot acquire any rights, unless they first subscribe to the *kota* funds. This is called *duari*, literally door or *hokora*, calling. The common funds are used for building and repairing roads and embankments, for digging canals, for poor relief as well as the supply of fuel for cremating the poor. The sources of village taxation are: (1) *jantal*, which is levied on special occasions of famine and epidemic for offerings to the god: (2) *duari*, or tax for defraying litigation expenses in connection with the common lands; (3) *pousheri*, a handful of rice levied from each bullock-cart that passes through the village: this goes to the common fund, mainly for the repair of village roads; (4) the contribution of a bundle of grain at each harvest per plot of $\frac{1}{4}$-acre to the village watchman, over and above the rent-free land which

he enjoys. The assembly of the *sasana* villages, now nearly thirty, occasionally meets to discuss social and religious questions. These assemblies are called *mukti mandap sabhas* or *sola sasana sabhas.*

Panchayat as Court of Justice.—In the more densely populated tracts of Berar, each village has its *panchayat,* but elsewhere, and especially in the Narbada valley districts and the Chattisgarh division, the jurisdiction of a *panchayat* is much wider and may even overstep the limits of a district. There is, in fact, no word in the vocabulary of politics more universal in its use in India than the *panchayat,* nothing which symbolises more the majesty and justice of authority, so the people often say that " God lives in the *panchayat,*" and the confessing offender addresses the five thus : " *Panchayat Ganga,* forgive my faults and purify me." There is implicit faith in the justice of the *panchayat,* and implicit obedience to its decrees. The *panchayats* also hear every side of a case, have often men to advocate each side and do not give their judgment until they are unanimous. Sometimes there would be several sittings for them to arrive at a unanimous decision in a complex and difficult case. The democratic procedure of these bodies is obvious. In many *panchayats,* the headman is elected, and is dismissed if he is found wanting. Partiality will be a sufficient ground for dismissal after one sitting, otherwise his conduct is closely watched for two or more successive meetings before his position is ratified. In the Telugu districts in the South the *kula-panchayatdars* are usually three to five. There are the headmen, one or three *ejamans,* who are assisted by two clerks, *gumashtas.* The plaintiff, *badi,* and the accused, *pratibadi,* are each represented by the clerks, who are nominated in the meeting. Among the " untouchables " each party is asked to sign a paper or to take an oath before the temple with a betel-leaf, lime or salt in hand that the truth and nothing but the truth will be told. A " court-fee " of 8 annas to Rs. 10 is at the same time paid ; this goes to the temple or communal funds. Any caste-people can attend the meeting. Each party has his advocate or *gumashta* who represents to the headman the particular

side of the issue he has taken up. The inquiry proceeds. Witnesses are brought in. The judges consult one another, and if they cannot decide immediately, quietly adjourn and hold meetings *in camera*, hearing carefully the two *gumashtas* and sifting the truth till there is no division of opinion. The decision is always by unanimity and not by vote of the majority. When a unanimous decision is arrived at, the date and place of the delivery of judgment are announced by beat of drum. The whole assembly then meets to hear and ratify the judgment. In the *panchayats* of the North a court-fee of one and a quarter rupees are usually paid to the chairman, and tobacco and *hukka* furnished by the person who calls the council. Oath is taken over Ganges water, or upon the plough, or with a son in the lap. After a full discussion five men are chosen to give a decision. There is no custom which necessitates the choosing of the same five men in case after case. When fines are levied, they are spent for some such purposes as the digging of a well or in the purchase of spirits. A certain portion, however, of the fines collected is the perquisite of the *chaudhari*. Besides this, a certain percentage of the fines is often set aside as a sinking fund for special purposes, such as the hiring of lawyers when trials occur in the government courts.[1] The use of such names as the *pati*, *mahajan*, *ejaman*, and *gumashta* among Telugu, Bengali, Hindustani or Gujrati speaking peoples is very characteristic, and shows not merely the universality of the *panchayat*, but also the similarity of procedure. The word *kula* for the caste-assembly is itself a repetition of the traditional term in our legal literature. Excommunication follows the refusal to obey the *panchayat's* decree. To carry this into effect, the caste *panchayats* must have to refer to the village assembly, which alone has control over the village well, and the barber and the washerman. Thus the strength and efficiency of caste-government depend upon the active co-operation of each caste with the village government as a whole. Village autonomy and caste autonomy, indeed, mutually support each other.

[1] Briggs: *The Chamars*, p. 51.

CHAPTER XVI.

THE RELATION BETWEEN CASTE AND NEIGHBOURHOOD GROUPS.

Village and Caste Councils.—Specific instances to illustrate not only the great power exercised by the village council, but also the fact that it is impossible for a villager to alienate himself from the village or to disregard the authority of the village council cannot here be adduced. Nor can we dwell at length on the relation between the village council and the caste *panchayat*. A whole village under the inspiration of its council cannot alienate itself from the larger *samaj* or socio-religious division by ignoring the voice of the social or religious heads. The constitution and procedure of the local bodies are the same in different parts of India. In the remoter tracts and in the hill divisions the aboriginal form of the village *panchayat* is still retained, and it is notable that caste *panchayats* are found chiefly among the lower castes. Brahmans, Rajputs, and the highest classes of Vaisyas have nothing of the nature of caste *panchayats*, or next to nothing. Where there is no council, public opinion takes its place. It is unnecessary to dwell on the comparative influence of permanent and impermanent councils on their members or between the jurisdiction of the village councils and caste *panchayats*, but generally it may be said, first, that a greater admixture of the higher castes implies the relative strength of the village councils; secondly, that each sub-caste has its own separate *panchayat*, and there is a general caste *panchayat* with controlling or appellate jurisdiction over their decisions; thirdly, the territorial jurisdiction is wider in castes that are vagrant or scattered; fourthly, that long and peaceful

settlement results in establishing a very strong permanent village council; and fifthly, that in the system of Indian polity the isolation and segregation of castes are compatible with a great deal of life in common and with active participation in village councils in the particular tract. The various caste *panchayats* deal with matters affecting themselves only, but in matters affecting the whole village the *panchayats* of the smaller groups merge into that representing the predominant caste of the village, or into the village council, to form a tribunal whose decision is binding on the whole community. The normal line of social development has been represented by the organisation of the village *panchayat* to which members of all castes belong, and the segregation of the lowest castes, the scavengers and the "untouchables," who have their own affairs settled by their own caste *panchayats*, and refer to the village councils for decision of cases which they cannot decide. I have found many powerful and influential village councils composed of Brahmans, Sudras, carpenters, blacksmiths, fishermen, earth-diggers and Mussalmans. The *grama-panchayat* would thus often consist of fifty to one hundred members, and be presided over by the village headman and accountant. They would settle village questions relating to the repair and maintenance of irrigation channels, digging or repairing wells, building or repairing temples, arranging for temple festivals, processions or amusements, etc. In the district of Salem, I know of a Palla or an "untouchable," who has a seat on the village council. There is, therefore, no truth in the ill-informed but common criticism that caste from its very nature is opposed to the principle of self-government, or in the observation of a French writer that the caste system permits the juxtaposition of political and social elements, but does not produce their fusion; they mingle, but they do not combine. There is nothing in the whole idea of caste which is foreign to active co-operation in the village assembly or the city guild. Many castes may be and often are represented in these bodies, and those incidents of caste which lead to segregation or the degradation of the lowest castes will tend to disappear in proportion as these local

bodies are entrusted with important powers and responsibilities on the day when unarrested self-government is attained in our fields and hamlets, our temple *mandapams* and village assemblies, guildhalls and city councils.

Village Group Assemblies.—About the procedure and territorial organisation of some of the local bodies and assemblies a great deal might be written, but a few characteristic instances will suffice. In the district of Cuddapah, there are influential *panchayats* among all the agriculturist, artisan and public-service castes in each village. These are called *chik panchayats*. Very important disputes which cannot be settled by the local *panchayats* are referred to the great *dod-kula-panchayats* or caste assemblies, at which some hundreds of men meet, each family-house being represented by one person. But the caste cohesion does not prevent them from taking an active part in village assemblies or assemblies of groups of villages. I learnt that there was such an assembly of seven villages at Labok in Rajamput *taluk*, which met for arranging the repair of a *bund*, eight miles long. It was decided that each person would contribute labour and money in proportion to the area of land owned. On another occasion an irrigation dispute arose which affected a large tract. A channel of five miles from the higher level of an irrigation tank could not supply enough water for twenty-four villages, and these wanted to dig an intersecting channel from the lower level on the other side of the tank, which also supplied the irrigation water of a very large village. The arrangement could not be settled by the local *panchayats*. Ultimately a *gramdulu panchayat* of twenty-five villages was called, and nearly 3,000 persons assembled. This body was, however, too unwieldy to decide the case. For *Ganga-jatra* or pilgrimage, custom determines the grouping of villages for the common worship of the goddess. Usually a subscription of two annas on each pair of bullocks is levied, and several villages assemble and arrange on the occasion for recreations and amusements, such as gymnastics, acrobatic feats, *kolatom*, *kasrat* or *gardi*, or village dramas and folk-tales, *chanchunatakam*, the "Boy's Play," Ankamma, Elamma, or Gangamma stories.

Hierarchy of Caste Councils.—Throughout Northern India, during the Mughal rule and in more ancient times, the king of Delhi was considered to be the *sarpanch* (chief arbitrator) for all castes throughout the country; and all the caste representatives who attended the *darbar* were recognised as the *sarpanches* of their respective castes. They had under them *panches* of *subas* (provinces), *ilakŋs* (divisions), *tappas* (groups of villages) and villages. Local *panchayats* were held for a village, *tappa*, *ilaka* or *suba*, according to necessity; but questions affecting a caste in the whole country were decided in a general assembly of representatives held at the metropolis (Delhi). The central organisation has disappeared, but the local organisation is still extant in villages, *tappas*, and *ilakas*. For instance, in the *ilaka* of Rewari with 360 villages, there were twenty-two *panches* in charge of *tappas* and one *sarpanch* at the head-quarters of the *ilaka*, *i.e.*, Rewari. The number of *panches* of *tappas* has dwindled, however, to eight or ten, but their control still centres in the *sarpanch* of Rewari. The jurisdiction of the *sarpanch*, assisted by the *panches* of the *tappas*, thus extends to the whole *ilaka*. Within the *tappa*, the *tappadar* (representative of the group of villages) exercises the powers with the help of the village *panches*, who in turn decide matters of local importance in the presence of the local community (*vide* the *Panjab Census Report*, p. 419).

Examples of Caste Councils.—In the district of Bijnor, in the United Provinces, the Dakauts or Joshis have a *panchayat* which meets only when a number of important matters, at least ten in number, are ripe for decision. There are usually 500 members; the expense is borne by the persons of the locality where it meets. There is an elected *chaudhuri* and also a *patwari* and *padhan*. The Bijnor district has two (apparently permanent) members from Nagma, two from Seohara, three from Jhalu, two from Nandawar, and two from Nahtaur; vacancies among these are filled by selection. The *panchayat* is held either at Jhalu or Nagma. Five members (presumably five permanent members) form a quorum. The above represents

the organisation of a cultivating group. We next turn our attention to a similar organisation among a sectarian caste. Among the Bishnois in the Panjab there is a central *panchayat* at a place called Mukam in Bikaner, which exercises jurisdiction over Hissar, Ferozepur, Bikaner and Jaipur. A fair is held at this place twice a year and all important questions are brought before the *panchayat* for decision. Among the same caste in the United Provinces, there are two sorts of *panchayat*, the *panchayat* of the sect as such, and the sub-caste *panchayats* in such sub-castes as possessed them before they joined the sect (Jat, Chauhan, Nai, etc.). The sectarian *panchayat* consists of a general meeting (*jamala*) on the Amawas in every month at a temple or house of some *sadh* (priest) where the *hom* ceremony is carried out; and cases are brought up for decision. The *sadh* and some leading members of the sect form the judges. On Chait Amawas the Bishnois of Naini-Tal, Moradabad, Bijnor and neighbouring districts meet for a large annual *jamala* at Lodhipur (*tahsil* Moradabad), where important cases are decided. The sub-caste *panchayats* are permanent and of the usual kind, and deal with social offences; these include, in addition to the ordinary list, selling a cow or buffalo to a butcher and the use of bhang and tobacco. The decisions of *jamala* sub-caste *panchayats* are mutually binding. Similar organisations are also common among the most backward communities. Among the Chamars, for instance, there is a headman (*chaudhuri*) in every community or village, and, oftentimes, a *sarpanch* or *chaudhuri*, who governs a group of villages. All ordinary matters are brought before the local body. But, when cases of major importance are to be considered, several *panchayats* may be called together; that is, the headmen of several villages, each with a number of influential Chamars, meet with the *panch*, in the village where the case has been brought. Cases are known, as when the interests of the whole caste are involved, of a general meeting of representatives of all the chief local sub-divisions of the caste. Such a council is called the *sabha*, and is quite modern. Such a one was held in Bijnor some years ago. In some places in the Panjab

and in the United Provinces also, there are village *panchayats* in which the Chamars are represented.[1]

The Khatis of Rohtak, in the Panjab, have a very elaborate organisation. There is one *panchayat* embracing fifty-two villages in the Gohana *tahsil* called *Bawan majra*, another for eighty-four villages in Rohtak, known as *Chorasi Khera*, a third for twenty-four villages in Thajjar termed *Haveli*, a fourth for twenty villages of the Maham *ilaka* called *Bisi*, and a fifth for 360 villages constituting the Kharkhanda tract also known as *Dolal* or *Dhia*. These divisions do not correspond with the administrative units. At the headquarters of each group there is a head *chaudhuri*, and in the first four *panchayats* there are no *tappas*, and the chief *chaudhuri* deals direct with the village representatives. The Rohtak group is the most important and a conference dealing with questions affecting the community in general is not considered complete unless the Rohtak *panchayat* is represented. The Chuhras of Rohtak have also a similar territorial system, each village having a *mehtar* or *chaudhuri* of its own, which, with the brotherhood, forms the local *panchayat*. But the assembled *chaudhuris* of the territorial groups mentioned above constitute the *panchayat* for the *ilaka*. In the Gurgaon district in the Panjab the Chuhras have a chief at Delhi and his *wazir* at Palam, who are brought to a locality in cases of extreme importance to give their verdict. The Chamars of this district have also an elaborate territorial division of their own like the Khatis of Rohtak. The Jatiya *panchayat* of Sohna, with one *chaudhuri* at its head, has jurisdiction over 360 villages in the neighbourhood, and the *chaudhuris* of the Palwal *panchayat* are assisted by a *harkara*. Similarly, the Nais of Hoshiarpur have an elected body of five persons which exercises jurisdiction over 327 villages, and the similar *panchayat* of the Jhinwars deals with a group of sixty-six villages.

Among the Iluvans of the Madras Presidency, who are not allowed to enter Brahman streets, there is a remarkable and regular constitution for the management of the common affairs. The country over which they are scattered is

[1] Briggs: *The Chamars*, p. 49.

divided into eleven divisions or *nadus*, each corresponding roughly in area and boundaries to a *taluk*. The *nadu* is, again, sub-divided into a number of *gadistalams*, five, six, or seven; the last unit is a village. Each village selects two representatives for the *gadistalams*, and the body so formed elects five members to the *nadus*, the votes usually being decided by the opinion of the leading men. The functions of the bodies representing the *nadu* are to settle the arrangements for their own festivals and the contribution to be made to the larger temples and to discuss social questions of all kinds. Some *nadu* assemblies meet occasionally, about once a year, others are more or less dormant; but the organisation is recognised and well understood. In addition, each village, sometimes each street in a village, has its own *panchayat*, presided over by a headman, known variously as *nattamaikaran*, *kanakapillai*, *ambalam*.

In Mysore, in the village Dod Banavar, Arsekere, I heard of a large assembly in which the Lambanis of 200 villages took part and decided some important social questions.

Among the Holeyas of Mysore, I have found a gradation like the following: (1) the *holegaris*, or the hamlets of the Panchamas, are under the jurisdiction of local headmen, called *chik* (small) *ejmans*. Local disputes are settled by them. (2) The *dod* (big) *ejman* has under his control 200 *chik-ejmans* distributed over eighty hamlets. There are fifty *dod-ejmans*. They decide disputes which cannot be settled by the *chik-ejmans*. (3) The supreme *ejman* lives at Tumkur, to whom serious offences and unsettled disputes are referred, and then the whole community assembles under him. The local *panchayats* often settle rates of interest with money-lenders and decide monetary claims. They refer these questions to the higher castes in case of a dispute with a money-lender, who does not belong to their own caste. It may be noted in this connection that in Bundelkhand and Kumaun debt cases are commonly settled by a *panchayat* but not a caste *panchayat*; it is a committee of arbitration. In the cities the *holegaris* or Panchama hamlets are divided for juridical purposes into a number of wards; for instance, *dod-gadi*, big circle, having jurisdiction

over more than twenty hamlets; *chik-gadi*, small circle, having jurisdiction over a few adjoining villages. Each street, again, has its own *ejman*, who sits with three elderly people whom he selects. In Berar the Bedar village *panchayats* are affiliated to a central *panchayat* at Haiderabad.

Even among the new immigrants of Chamar and Dosadh communities, shoemakers and leather-dressers in Calcutta, we find the old rural divisions of the people into particular areas of jurisdiction (*mahallas*) under *panchayat sardars*. The non-local association of the caste *panchayat* would meet to consider questions affecting the welfare of the caste as a whole, *e.g.*, the boycott of a grog-shop, where insult was meted out to the caste as a group. On the other hand, neighbourhood groups composed both of the Dosadhs and Chamars inhabiting a particular *busti* would discuss local questions, irrespectively of caste, or those affecting the welfare of the inhabitants of a particular locality, *e.g.*, a Muhammadan merchant took advantage of his friendship with Dosadhs and Chamars in the way of securing monopoly of hire for his sewing machine through the intervention of the *panchayatdars* of the locality, as a result of which he has risen from the mob of competing salesmen to be a wealthy wholesale dealer. There is a close co-operation between the city *panchayats* and the *panchayats* of the villages which they have left to obtain their livelihood.

Mixed Panchayats—Family Caste and Local Assemblies.—It is plain on the evidence that there are active village councils where several castes are represented, as well as active caste *panchayats*; there are distinctly effective local bodies not based on caste ties which have a wide jurisdiction, while there are also *panchayats* which include the whole brotherhood inhabiting a group of villages and extending beyond a district or merely a few selected sub-castes or *panches*. There are, moreover, mixed types, and mixed types result in differences in the scope of jurisdiction as regards local, occupational, social, or domestic matters. It is thus altogether wrong to dismiss the significance of the *panchayat* as merely caste government. Caste does not weave the whole and complex web of Indian life. There is

not one thread of social cohesion. There are many threads—some that suddenly stop, some that snap, many that cross one another; one may think rather of the maze of many-coloured threads spread on a wide common than of a single stout rope which blocks the king's highway. Broadly speaking, the ascending series of these popular courts having administrative as well as judicial functions are to-day the same as described by our ancient lawyers, viz., the family (*kula*), the occupational guild which may comprise different families and castes (*sreni*), and the local association, which may be the assembly of the whole village or city, and which represents all castes, all functions and interests (*puga*). These still represent the hierarchy of popular juridical bodies, though they are unrecognised by British law. In the case of castes which are very low in the social and economic scale, which are scattered and nomadic, and not as yet tied to the soil or village, caste and not citizenship is still the basis of the ascending scale of juridical association; but ordinarily the caste and the neighbourhood assemblies run on parallel lines in extending concentric circles of jurisdiction, though they may at times intersect one another.

We have already indicated the steps in the mingling of the elements of caste and local association in the heterogeneous composition of the village and of its *panchayat*.

Guilds, their Composition, Classes, and Functions.—The same differentiation between a caste *panchayat* and the village council, between a kinship and a neighbourhood association, is in process in the *muhallas* or wards of the large towns and cities. One craftsmen's guild may comprise different castes, or one caste may have subdivided guilds. The guild of traders may comprise not only different castes but also different races. The heterogeneity of composition varies, in fact, with the strength of outside influences and other causes in a large industrial or trading town. The guild, like the village community, is a conglomerate structure, and caste is not the only root of the institution. It is very significant to note in this connection that in our old legal literature these local bodies and assemblies were classified according to the diverse nature of their composi-

tion: thus we find mention of occupational guilds of the same castemen, occupational guilds comprising different castes, unions of different guilds and castemen in the same locality. Even now in the South occupational guilds of the same castemen are known as *kula*; and they strictly follow their particular *jatidharma*, or the code of the calling. Muhammadans also form guilds as they form village communities and castes in weak imitation of Hindu models.

As in the village community there is among the peasants a council presided over by its elders and regulating the communal concerns, so in every town, not only among the general traders and merchants but also among the artisans and craftsmen, there is a guild prescribing trade rules and settling caste and trade disputes under the guidance of the *mahajan* and the *seth*. Sometimes the guild is nothing but a temporary or permanent union of caste-people plying the same craft and trade and framing general rules of conduct and social morality and observances, while sometimes it regulates trade or wages, the conditions of employment of labour and the use of machinery as well as the education of apprentices and the protection and maintenance of the destitute and the helpless. In the latter case the caste *panchayat* not only decides petty disputes and cases of misbehaviour, but becomes in addition not unlike the modern trade-union. In some cities the trade council is differentiated from the caste council; for example, in Ahmedabad, there are three castes of confectioners, and, therefore, three assemblies for caste purposes, but only one confectioners' guild. So the silk-*mashru* weavers' *mahajan* in the same city contains both Kanbis and Vanias. Many more instances might be cited. In the Panjab, some of the classes of artisans, such as *lohars*, *julahas*, *telis*, *dhobis*, are more trade-guilds than tribes, and a family giving up its traditional occupation and taking to another would be considered, after a generation or two, to belong to the caste, whose common occupation it had adopted, so that the different castes are not divided from each other by fixed and lasting boundaries. Still, so strong is the tendency to follow the ancestral occupation, and so closely are the

persons belonging to each such caste or trade-guild interconnected by community of occupation, which generally carries with it inter-marriage and similarity of social customs, that these well-recognised divisions are of real importance in the framework of society. On the other hand, the same caste may be divided into distinct guilds. At Lahore, both the Hindu and the Muhammadan goldsmiths form one craft guild, which has fixed the charges for particular classes of work. Such rates are strictly adhered to by members of the same guild. At Kotkapura, in the Faridkot State, there is a guild of traders of all castes, consisting of representatives of each caste, who decides cases relating to trade. There are also similar organisations in the towns of Faridkot and Mehyanwalimandi. The labourers of Kotkapura have also formed a guild which fixes the minimum wages below which no labourer would work (*Panjab Census Report*, 1911, p. 426).

At Surat and Ahmedabad, Jaipur and Delhi, Benares and Dacca, and Conjeeverum and Madura, the guild organisation and the powers exercised by the *vania*, the *seth*, the *mistri* and the *mahajan* deserve the most careful investigation. In different regions and among different occupations the solidarity of the industrial and mercantile guilds and their capabilities for self-government have varied, and thus the recognition of their place and status at the hands both of ruling authorities and of the community as a whole have been different. Again, a flourishing guild which regularly derives its fee income from monthly or annual collections of a certain percentage of profits and spends it on charity, feeding the poor, *pinjrapols*, *dharmshalas*, tanks, shade-trees, cattle-troughs, fountains, supply of rice, ghee, oil, and other requisites to temples, anointing and scents for the bath of the god, procession at festivals, etc., naturally commands greater prestige than a guild which contributes its small income derived from occasional subscriptions to the expenses of a village or city festival and amusement. Similarly the jurisdiction of the guild and its power to resist outside competition vary. In a small village the guild is all-powerful and the caste coincides with

the guild, lending it a double authority. In cities where there is a large number of workmen, artisans, and traders who do not belong to the guild, the power diminishes, unless, as is very often the case, different guilds mutually support one another and form a loose union to protect themselves from the forces of competition and exploitation from outside.

The federation of groups of guilds has been a characteristic development in Indian economic history. Where the organisation is rather loose, as in Central India and Rajputana, the number of guilds is very large, a city having even more than a hundred guilds, while with a strong and compact organisation the number diminishes. The more powerful the guild, the stronger the tendencies towards a federation; the weaker the guild, the more marked are the tendencies towards subdivision, and the larger the number of guilds.

CHAPTER XVII.

THE GUILD: CONSTITUTION AND EXPANSION.

Illustrations of Indian Guilds.—It is unnecessary to enter into a detailed treatment of existing guilds, but as almost nothing has been placed on record regarding them, we only note a few of the more important guilds and artisans' and traders' associations in modern India. In Western India, what a *patel* is to a village a *shetya* is to a Lingayat *peth* or ward of a town. The meetings of the *shetya*, the *mathapali*, and the castemen deal with caste as well as trade disputes, and have not declined in importance. Cloth and turban weavers, oil-extractors, bangle-makers, potters, carpenters, goldsmiths, barbers, washermen, tailors, dyers, have caste organisations which to some extent take the place of craft-guilds, each caste having a number of leading men, *mahajans*, subordinated to a head leader, *chaudhuri mahajan*. The humbler artisans form the *panch*, and here the guild is almost coterminous with the caste. The guild of merchants, bankers, and large dealers is usually called the *Mahajan*, meant as a defence of trading interests, a board of trade as it were against the union of the different city craftsmen's guilds. The Vanias, the Lohanas, and the Bhatias form the *Mahajan*, to which all trade guilds are subordinate. The authority of a trade guild extends over those who belong to that particular guild, while the authority of a *Mahajan* extends over all trade-guilds. It is the highest authority in matters of trade, and, as far as Hindu traders are concerned, in matters of caste. This authority is always exercised democratically: besides the *seth*, there is the *gumashta* or clerk, who calls meetings: election and decision by the majority are well-known among

the traders' as well as the craftsmen's guilds. Though the Brahman and lower castes are not usually included in the *Mahajan*, they are all guided by the orders passed by it. All trade guilds or caste *panchayats* are subordinate to the *Mahajan*. The *seths* and *patels* of all the different occupational castes in a city or town are its members. Theoretically all the occupational castes ought to be represented on the *Mahajan*, but in practice the lower castes such as Lohars, Suttrars, Golas, Ghanchis, etc., do not come in because they represent only the simpler handicrafts. The *Mahajan* or town council has jurisdiction not only over the Hindu castes, but also over Mussalmans and other communities doing business within the town. A person, dissatisfied with the order of his caste, may appeal against it to the *Mahajan*, and the decision of the *Mahajan* becomes law both to him and to his caste *panchayat*. Usually the Vania's voice is supreme, and he is generally the president, called *nagarseth*, or city mayor, which office, though now having only a religious and social importance, still represents the dignity and power of the commercial community. Till recently he exercised great influence in State matters. Even now he carries much influence in native states. Orders for *nagar ujani* or feast in the whole town, for strikes, for closing shops on the death of a member of the ruling house or some great man, are given by the *nagarseth*. The traders' and merchants' guilds fix the rates of exchange and discount and levy fees on certain transactions, spending the proceeds on humane and religious objects. The Gujrat and Cutch *Mahajans* exercise important rights and privileges and hold an important and influential position with regard to the market; they settle social and trade disputes, levy fines, ordain public holidays, settle monetary claims in cases of insolvency, and in questions of insurance even fix the amount to be paid for damage to the ship or cargo. Characteristic also are the formation of new craft and trade guilds as well as the process of adaptation of the old guilds to the expanding needs of modern industry and commerce, as seen in such developments as the Sourashtra Sabha among the far-famed Madura weavers and merchants, or

the Desi Beopar Mandal, the Indian Chamber of Commerce at Lahore and the Multani Bankers' Association at Bombay, which deal with very large and general questions relating to trade and industry. In old cities like Delhi or Amritsar, Benares or Lucknow, Bankipore or Ghazipur, Amraoti or Bijapur, Haiderabad or Madura, there are indigenous banking associations or *panchayats* with their bills of exchange and clearing houses and their particular circles of guild jurisdiction embracing all the merchants and bankers of the region. The bankers' guilds settle commercial disputes and regulate the rate of discount. In smaller cities, where the number of indigenous banking houses is small, these functions are exercised by informal meetings or agreements of the different houses, though not on so elaborate and authoritative a scale as in the cities where the banking houses are numerous, and where associations according to Western models conduct by far the larger portion of the internal trade. The Multani Bankers' Association or the Bank Association at Cawnpore are modern adaptations of the old federation of bankers' guilds, holding regular meetings on Sundays; they have dealings with the Exchange and Presidency Banks; they settle monetary claims; decide discount rates of *hundis* in accordance with changes in the bank rate; organise relief and public charities; and allow members to go to court only through their accredited *vakils*.[1] Like the merchants' guilds of China, these have contributed towards a high degree of mutual trust amongst these classes, the promotion of industrial peace, and the prevention of commercial crises. Organised charity is well-known among the Marwaris and Vanias of the North, the Lingayats of the West, and the Komatis and the Nattukottai Chettis of the South. In addition to fines imposed for breaches of guild rules and fees on ceremonial occasions, these guilds levy many petty imposts, such as taxes on the import and export of the principal articles of trade, on sales and mortgages of houses, and on profits beyond a certain amount, etc. A considerable income is also derived from the auction sale of the right to keep shops open and do

[1] I owe this information to my friend, Mr. R. C. Rao.

business on holidays. The amounts thus collected are deposited with the *gumashtas*, *kotwals*, or *karnams*, clerks of the guilds, and are spent on noble and philanthropic objects. The caste or guild contributions of the Indian traders and merchants, indeed, form a distinct type of public financing in communal bodies and associations which collect cesses and ratable subscriptions through an extensive and all-embracing machinery for works of general religious merit and public service, as well as for caste maintenance and conservation. The *mahimai* guild funds in the South and the *britti* in the North have indeed kept alive the perennial stream of charity of the great trading classes of India in support of all kinds of works of general public utility, temples, watersheds, guest-houses, bridges, etc. To understand the elaborate socio-juridical organisation of some of the merchant classes, we can here only refer to the fact that the Nattukottai Chettis are distributed among ninety-six towns and nine temples, in each of which there are two forms of *panchayat*, called *madathvasal mariyal*, and *kovilvasal mariyal*, collecting fees on all their auspicious and inauspicious occasions, fines for the deviation of caste-rules, *mahimai* contributions for *choultris*, feeding houses, temples, Vedic, and recently also Sastraic, *patshalas* or schools, as well as settling disputes dealing with monetary claims. In the case of the Lingayat, disputes are settled by a *panchayat*, headed by one of the community called *ejaman* or *sethi*, assisted by the *reddi* or headman called *banakara*. Appeals from the decisions of the *panchayat* lie to the *mutt*, to which the village is subordinate. In Bellary appeals go to Ujjaini. The orders of the *mutt* are final. The following would show the order of precedence: (1) *maladaya*, (2) *matapati*, (3) *ganachari*, (4) *shavaria* or *gunari*, (5) *sethi*, (6) *palna setti*, (7) *kori setti*, (8) *wali setti*. This reminds us of the Golaki Matha, in medieval India, which had under its jurisdiction three lacs of villages. Not merely among the old industrial and manufacturing cities, but also in less stable seacoast settlements and villages, as among the Paravans, traders, boat-owners, and pearl-divers in the Tuticorin tract, there is a compact guild organisation

for the management of common affairs. The *jatitalaivaimore*, whose office is hereditary, is the secular headman of the community; he enjoys the dignity of a specially distinctive dress, and commands respect. The Viceroy of Goa formerly gave him the distinguished title of *Don*, which he still prefixes to his name, and which is apparently also the honorific suffix of his title. Under the Dutch, succession to the post required the ratification of the government, a practice which in early days the English government continued; at the present time the appointment is left entirely to community to settle, official recognition limiting itself to the understanding that the duly constituted headman undertakes the privileges and responsibilities connected with the pearl-fishery. In 1891, the government last ratified the custom by which the *jatitalaivaimore* or headman of the Paravans was allowed on the occasion of every fishery a small number of boats fixed in proportion to the number of boats employed by government. In almost all the Paravan settlements the authority of the *jatitalaivaimore* is accepted without question. His deputies, known as *adappans*, with their assistants, *sittattis* or *pattangattis*, are found in every village; they are the nominees of the *jatitalaivaimore*, and perform the duties of settling social and trade disputes and collecting *kanikkai* or contributions for their common funds and their masters' fees.

Guild Organisation and Federation.—The efficiency of the guild system and its developments in the direction of a larger union or federation can be understood best by a detailed study of the organisation at Madura, for which here we have not space. The federated guild assembly at Madura is called the *pancha-brahma-sabha*, presided over by the chief headman of all "the seven tribes and five (artisans') castes" called *jadiperiadanakaran*. He is elected by all the adult members of the guild. The *nattamai* or headman of each of the artisans' castes is also elected by the *jadiperiadanakaran* and the other *nattamais* voting by ballot. The other officers of the guilds are the *karriasthan*, an executive officer who is secondary in dignity, and the *jadipillai* who is to notify the time and objects of the guild

meeting. There may also be the *kanaka* or accountant, and the *thandal* or bill-collector. I found also a woman *jadipillai*. A guild assembly is called the *sabha*, while the general meeting of all the industrial castes is called the *mahasabha*, which meets under the presidency of the chief headman at the Kamakshi temple during Dasahra. The craft guilds, the guilds of the shepherds and the butchers determine trade-regulations, the prices of gold and silver, the conditions of apprenticeship, etc. The guild of the Kasukara Chettis decides the prices of gold and of sovereigns from day to day. Among the Vaisya Komulis there is an agreement in writing that the foodstuffs they deal in should not be weighed falsely; fines are levied; trade disputes are settled among themselves; *mahimais* are collected, and the *kanaka* or *periadanakaran* of each branch of the trade looks after all matters pertaining to corporate interests. Among the Nadars also there is a similar written agreement. Their *nattamai* supervises the collection of the *barthanai* and *mahimai*. Among the Muhammadan blacksmiths the guild has the following officers: the *periana-tamadar*, the *chinna natamadar*, the *peria-kudithana karar* (crier), senior and junior headmen, and the *modiar* of the mosque who exercises the functions of the *jadipillai*. All these organisations have their extending circles of authority till they are encompassed by the federated assembly, the *mahasabha*. In conjunction with the *karyasthan* and the local heads, the *jadiperiadanakaran* appoints *nattamais* and *karyasthans* to particular places and delegates his powers to them. This is done in places where the artisans are represented in considerable number, as at Sholavandan and Vallalagunda in the Madura district. Even the Pallans in villages of Madura and Tinnevelly districts are called together and embraced within the folds of the guild organisation. As in the case of the expanded and heterogeneous village community, local government here is based, in the main, not on tribal or family but on neighbourhood groups. Here we find a gradual substitution of territorial for caste organisation, of economic interest for kinship as the bond of social co-operation.

Interest in these guilds is heightened when we find in the inscription C. P. No. 65-A of Mr. Sewell's list a record of an agreement drawn up by eight men who represented the eight communities of banker, *nattamai*, *komatis*, Muhammadans, *kavundas*, weavers, *nadars*, *vanias* of the village near Madura in 1719 promising to give a share of their grains annually to support the ritual of the village temple. The shares are enumerated and of an interesting kind. The grant is stated to have been executed with the consent of the *sabha*. The ritual obviously refers to the annual festival still conducted by these artisans at the temple of Kamakshi at the close of Dasahra.

Craft Guilds in India and Europe.—We may close this brief survey with a comparison of Indian and Western craft guilds:—

(1) In the development of guilds in Western Europe, the religious activity of the guildsmen was differentiated from the administrative organisation of the craft. In India and generally in the East the spiritual and the economic elements were intermingled in the same organisation, as a general rule. This has been especially emphasised since the Indian guilds usually comprised men of the same caste. Hence the caste god was usually installed in the guildhall. But this is by no means universal, for we have seen that a guild often comprises men of different castes and religions. In such cases economic and religious elements are differentiated as in the Western guild organisation, the guild supervising economic functions while the caste *panchayat* has its jurisdiction over social matters only.

(2) The guilds in Europe obtained special powers and privileges or grants of authority from the king or the municipality. Extension of local and functional self-government was obtained after long historical struggle and conflict. This was in consonance with the general principle of the feudal organisation of society, in which the act of forming self-governed communes, chartered towns, merchant guilds, religious fraternities and craft guilds was regarded as an act of sub-infeudation—the formation of a

sub-fief where it had not existed before. The contract of the fief between the different parties developed the respective but varying and indefinite rights and limited obligations of the nobility, the king, or the communes and guilds. Thus the whole economic structure was based on the gradual wresting of liberties and privileges from the social and political system of the neighbouring region. In the East and in India, in particular, the authority of the self-governing guilds and corporations rested on the sanctity of *achara*, or tradition, which no sovereign can violate. Thus the Indian guilds did not develop out of the principle either of sub-infeudation or of delegation. Neither were they evolved from charters of liberty and privilege wrested from unwilling kings and nobles. They had an independent evolution, dominated chiefly by the specialisation of functions within the same guild, and having no reference to any ultimate administrative authority. Decentralisation is the accepted idea, and each group is theoretically supreme in its own jurisdiction. Thus the development has been towards fresh functional and administrative decentralisation on the one hand, and the gradual federation and increase of the size of the administrative groups on the other, resulting in ever-increasing concentric circles of authority.

(3) In guild history in Europe, especially in some of the German cities, there has been witnessed a good deal of class-feeling and the guilds have been imbued with the spirit of commercial or feudal oligarchy which they supplanted. In the first place, the crafts were organised bodies struggling for corporate privileges, and eventually they purchased or wrested by force from neighbouring regions a substantial amount of independence. In the second place, there was a tendency to a new kind of oligarchy based on distinction between master artisans and the increasing class of journeymen. Thirdly, the craft guilds came into conflict also with the merchant guilds, and the mercantile oligarchy no sooner developed than it found itself face to face with a demos of artisans organised in craft guilds whose long struggle was like the Roman struggle between patricians and plebeians.

In India, where society was not organised after the feudal pattern, the development of the guilds partook of the nature and process of fission and absorption, giving to each group its rights and privileges which were protected by the established traditions of voluntary social co-operation. Thus, though the whole background of Indian communalism was the supremacy of the functional groups, there had not been witnessed that emphasis of class cleavage which underlies the economic history of Europe during the Middle Ages.

It is true that the idea of solidarity was prevalent in the civic organisation of the Middle Ages in Europe. Indeed, commerce lay outside the tutelage and protection of the State and had its own consulates based on the system of free association and an exchange of services and a reciprocity of good offices. Thus, Jules Delpit writes: "This species of league, association, or communal chivalry rested above all on the great base of medieval civilisation, the spirit of corporate life or solidarity." But the history of restrictions imposed upon industry and commerce by the guilds is too well known, though the end at which the guilds aimed was the rule of a proportional equality. Thus there was a movement of the population away from the incorporated towns. A wage-earning class was established, and its secret associations, the "brotherhoods of wage-earners," the coalitions of the artisans, are hardly at all known to us but for their having called forth harsh decrees, or having occasioned savage sentences. In the Indian guilds the wage-earning classes were never excluded, and, indeed, their admission to full membership discouraged the development of that distinction between employing masters and employed wage-earners which was at the root of mutual jealousy, conflict, and disintegration of the Western guilds. In the East generally the guild regulations were not exacting, prohibitions and penalties were not harsh and frequent, nor were they imbued with any spirit of feudal or commercial exclusiveness. On the other hand, they helped to confer dignity on the artisan and workman. The wage-earner was given a voice in the government of the city or ward to which he belonged. He could attend the meetings

which discussed questions of temple management and the maintenance of schools, almshouses, and other public institutions. It was thus due to such guilds that in most of the cities in India the triumph of functional democracy was confirmed, and there were many examples of resistance organised by the merchant and artisan classes against the tyranny of kings or nobles. Thus there are many parallels to the movement which, in the middle of the fourteenth century, ended in the organisation of the communal government of Paris, and in which the support of the trade corporations sustained Etienne Marcel in his noble endeavours.[1]

[1] Nys: *History of Economics.*

CHAPTER XVIII.

THE VILLAGE COMMUNITY: AN ECONOMIC DEMOCRACY.

Old Indian Polity as Foundation for the New.—In view of recent discussions concerning the methods of offering greater opportunities of self-government to the Indian villager, the first and greatest essential for such discussions is a knowledge of the kind of self-government which satisfied him in the past, with a view to building up the new fabric of self-government on the enduring bedrock of our local traditions and institutions. No task can be greater than to engage for political reconstruction that idealism of the British statesmen and the Indian peoples which war mobilised and has now released from its yoke. British statesmen will find the task easier here than in the newly-conquered regions of Mesopotamia, Arabia and Syria, among the Semitic peoples, where the prophet and the sultan represent the normal characteristics. In the history of cultural evolution, the " Aryan " proposition is true : the commune, the local body, the limited magistracy are as characteristic of the so-called Aryan peoples as the absolutist institutions of the Semitic. But while, in the West, the Romano-Gothic civilisation has shown both the " democratic tendency " as well as the tendency to form through a process of strife and chaos continually larger political societies, bound by geographical and cultural limits only, in India the type culminated in the village councils, city guilds and other local bodies for the expression of corporate life, rural and urban, maintaining internal peace over a region much larger than the whole of Europe. The " Indo-European " tendency, which fitted the Hindus to amalgamate with more primitive

folk in the North, and which facilitated the fusion of the Aryan and the Munda-Dravidian culture-elements in the South, certainly will lay the basis of a sounder democracy under the ægis of British imperialism, if the war has once for all freed humanity from the incubus of the old instincts of appropriation and expansion, an inheritance from Rome, and will regroup men and institutions in ways which will fulfil national ideals and accord with higher aspirations. Old prejudices have to be given up, old mistakes to be rectified. The axioms and postulates deduced from the development of European polity are not adequate. The English administrators of the eighteenth and early nineteenth century were never tired of finding striking resemblances between Indian conditions and those of the middle ages in Europe. Bred in the creed of Ricardo and Mill, the English utilitarians and free-traders, the early British administrators sought to develop a political fabric and administrative machinery of their own, and depended upon education and individualism as the sole levers for lifting India from the stagnation and confusion of the communal *débris* and tribal survivals. Individualism, resting primarily on the Benthamites, but buttressed by the Smithian economics of *laissez faire*, which was the accepted creed till 1880, especially warped their judgment as regards characteristic Indian institutions such as the village community and caste, the joint family and the guild, the social ethos and ethical tradition in India, which are all the expression of a communal rather than an individual conscience.

Misunderstanding of Indian Institutions.—The doctrinaire administrators applied their abstract theories ruthlessly, but with great and noble intentions, and they had their masters in those thinkers of the age, who attempted to explain the institutions which have come into being in the course of social evolution as the products of the conscious will and the reasoning mind.[1] Later, the influence of Maine's historical methods in his study of early law and institutions, including the Indian village community, had a tendency to create bias, since what the English administrator learnt

[1] Cf. Barker: *Political Thought in England.*

from him was that tribal custom and traditions of the primitive patriarchal family group still reigned supreme in our social composition and constitution, in our forms of property and land-tenure. The one path of human evolution which Maine chalked out ran from status to contract. The process to contract, which was readily assumed as universal, was superimposed upon a communal organisation of life by an individualistic law, and disruptive tendencies let loose by the weakening of communal bonds were hailed as the travails of progress.

Land and Property Regulation in the Indian Village.—Even now a great deal of misconception prevails as regards the origin of property and the formation and development of the village community, which comparative studies alone can dispel. It is neither tribal communism nor the influence of a joint and undivided family group, neither race psychology nor a collective responsibility for government revenue, that has been a constructive factor in the evolution of the village community. Each of these may have helped the transition from no property to individual appropriation, and then from individual exploitation to communal rights in land. In the evolution of agriculture this transition is inevitably brought about by conditions of density of population and of natural surroundings, so that the village community has its future if agriculture has its own. With the increase of population and the consequent stress of economic life, there is a necessary delimitation of individual rights as regards waste, or meadow and forest. The fields, the occupation of which have required much labour, become individual hereditary property, while all others are held only in temporary possession as long as the system of shifting cultivation prevails. We find this even to-day in many parts of India. As population becomes denser and land more scarce, the rotation is gradually reduced to ten, seven, and even three years.[1] A characteristic instance of this actual process I found in some villages in the Ramnad district of Madras. Forty years ago, they were all *panguvali* villages in which the *mirasidars*, the virtual owners of the land, enjoyed their

[1] Lewinski: *Origin of Property.*

own shares in rotation, lands being periodically redistributed. The gardens and dry lands were redistributed once in three years. The wet lands at a distance adjoining the hills, which require more labour, were distributed once in seven years. The wet lands near the village were distributed every five years. With more intensive cultivation the right has become more durable and acquired the character of property. At this stage of evolution common clearing of a forest by large groups does not establish common property, but leads to an equitable division. Meadows, forests, pastures, irrigation channels, do not pass through the stage of individual property, but evolve on account of social necessities from an absolutely free use directly to elaborate forms of regulation.

Agricultural Development in the East.—There is, indeed, a common basis in the agricultural development of every race. In Sumatra, Celebes, etc., the soil remained in joint ownership so long as the culture was extensive and nomadic. But as agriculture advanced and population grew, the cultivated patches began to be transmitted by inheritance : though the community still reserved its eminent domain over the cleared ground, besides entire ownership of all waste lands. In Java, in the provinces of Bantam, Krawang and Preanger, woods and wastes are common property, cultivated fields private property. In Java rice can prosper only on irrigated ground, and irrigation demands the making of canals and conduits on a large scale. Hence the double necessity of not cultivating scattered patches, and of working in association so as to carry out effectually the needful operations. The irrigation works are executed at the united cost and by the united efforts of the whole village. In the Javanese *dessa*, the collectively-owned rice-fields are divided among different families, the allotted plots being granted in usufruct only. To become its member, a man must possess a yoke of oxen and accept a quota of the dues and enforced labour imposed by the commune and the State. Sometimes every year, sometimes every two or three years, a fresh partition of rice-fields is made. Here and there the periodical re-distribution takes place every

five or six years only, or even at longer intervals; occasionally the village goes so far as to grant a life-interest, diminishing the area of the lots in proportion, and stipulating that the general village assembly retain the right to make a fresh allotment should they desire to do so. But the *dessa* rigidly preserves the integrity of the common domain, the waste lands and forests where all the dwellers in the village have a right to pasture their beasts and to cut wood according to their needs. Similarly, as new villages are formed by new settlements, new *dessas* are created by a sort of budding with its collective management of irrigation and ownership of new rice-fields (*sawahs*).[1] In China the economic association of the village community is obscured by the clan system. The clan jointly possesses property, and indeed the property of the ancestral hall is divided among the poorer members at a very low rental. Like the ancestral hall, the village temple owns agricultural lands which are let out, irrespectively of clan, to the villagers who possess none of their own, as well as a common mill, buffaloes, and at need labourers to aid them in their work. The ancestral clan fields are inalienable, into whose possession or use it is a sacrilege to bring an intruder. Various other domains are exempt from family or individual appropriation, *e.g.*, the provincial domains, devoted to objects of public utility, such as "fields of studies," intended for the support of those studying in public institutions, or of needy men of letters. Indeed, there are dwellings adjoining temples and burial places where luckless literates are received. There are also the "fields of succour," and "common fields" for the maintenance of the communities existing in every province. Chinese custom and clan rule curb also the prerogatives of landed properties by forbidding them to increase the rent originally fixed, and obliging them to indemnify the outgoing tenant by a sum equivalent to the increased value which he has put on the estate. Thus, as Letourneau concludes after a careful study of these institutions, "the principle of communal property in all concerning the soil is largely represented in

[1] The words *dessa* and *sawah* correspond strangely to the vernacular words for village and for uncultivated lands in India.

China, not only in the history of the country but also in its legislation and its institution." [1] This is also the case of the agricultural usage and customary law of Japan and India, their social history and organisation. In Japan, as in Java and India, rice cultivation has encouraged a good deal of fluid communalism and association of labour. Everywhere rice cultivation demands a system of irrigation which can make good the loss of water by evaporation, by leakage and by the continual passing on of some of the water to other plots belonging to the other farmer, which encourages co-operative habits of work. Thus there are in Japan hydraulic engineering works, as remarkable in their way as those of the Netherlands, which have been the work of unlettered peasants often working in co-operation. Tunnels for conducting rice-field water through considerable hills, aqueducts, reservoirs, etc., represent a vast amount of communal labour hardly to be met with anywhere else. There are also communal seed-beds, ensuring that many farmers may grow the same variety, and there may be a considerable bulk of co-operative sale. Indeed, the sense of social solidarity is so strong that in recent times what is called an adjustment of paddy lands is being carried out at many places: the peasants agree to rearrange their oddly-shaped patches of land, which are scattered all about the village (as in the English strip system), and accept in exchange neat oblongs out of the common stock. Indeed, in its way there has been nothing like this in the agricultural history of Europe. Both communal labour and communal standards of the use and enjoyment of property, which have been the established traditions of Far Eastern agriculture, are now accomplishing in Japan a silent agricultural revolution. In the whole of Japan, by 1919, two-and-a-half million acres had been adjusted or were in course of adjustment.[2] Everywhere in Eastern agriculture we find these communal regulations adapted to geographical conditions and equitably arranged to keep in check antagonistic interests and promote the common interests of farming. The equalisa-

[1] Letourneau: *Property, Its Origin and Development*, which has been freely used in this exposition.

[2] Robertson Scott: *The Foundations of Japan*, pp. 71–73.

tion of the pasture rights, the limitation of wood a villager can take from the common forest, the abolition of rights in arable lands left a few years in fallow, the scattered field system and division of arable lands unequal in quality into scattered strips so as to give equal opportunities in intensive cultivation, or again a readjustment with the consent of the owners, an equalising taxation on the area of the homestead and generally the emphasis of private rights in the homestead and in land in which individual labour is a more important factor than social co-operation or natural advantages, and of common rights in lands situated between neighbouring villages for cattle-grazing or embankments, threshing-floors, riverside, wells and irrigation channels, etc., where exclusive appropriation will spell agricultural ruin—all these exhibit a normal and inevitable process which we meet with in studying the old German *mark* or the English village or the modern village communities of Russia, Siberia, Japan and Java.[1] There are variations which are regional in their origin, giving rise to different types and systems ; but, judged from an agricultural standpoint, the village community in India has shown the highest skill in the demarcation of rights in land so as to injure as little as possible the interest of every man in intensive cultivation. If we consider the density of the Indian population, and the complication of the open-field system due to manuring and to co-operative irrigation, as well as the differences in topographical conditions, we have to admit the wonders worked by the careful and discriminate intervention of the village community, guided neither by tribal traditions nor by idealistic principles, but by the necessities of agricultural-communal life.

Problem of Village Reconstruction—the True Solution.—And if Indian agriculture is now declining and the superiority proved of the scattered-field system of Japan, it will not be wrong to trace the difference to the disturbing influences of a legislation and administration, based on the individualistic Romano-Gothic concept of property on the

[1] Cf. Lewinski : *Origin of Property*, which has been drawn upon largely for many facts and suggestions here given.

Indian agrarian distribution which in its stratification has been built up by a rich endowment of communal instincts through a long and gradual process of agricultural and communal experimentation. The content of property rights should be allowed to vary according to regional needs, or the needs of adaptation to a particular geographical and historical environment; it should not be standardised by the superimposition of Rome-descended concepts and categories. The different agrarian groups should be allowed to determine the interests of property in different fields according to agricultural necessities, the State reserving to itself the imperative right of their correlation and co-ordination. The village communities alone can judge the economic evils or benefits of pre-emption, entail or free mortgage, or work successfully the scattered field system by a discrimination of rights between old and new settlers, or between different kinds of arable land, meadows, forests, etc., in dry valleys or mountain fastnesses, in arid regions or fertile tracts. Even now in some village communities pre-emption and periodical partition of arable lands still take place, and new settlers are not given the rights of villagers, though the law courts are very reluctant to recognise these practices. Lands are still to be seen divided into scattered plots, which are kept perfectly distinct for the purposes of periodical distribution or re-distribution of water for purposes of cultivation. When the village community, however, was caught up in a different economic and legal system, the villages were no longer able to exercise or to control the intervention on behalf of the community, more needed now than ever on account of the pressure of population; nor could they control the preventive policy on the non-appropriated lands and the equalising policy on the appropriated lands. The normal and natural process of the evolution of property and of the village community was thus arrested. This perturbation has been universal and has sometimes caused great agricultural excitement and unrest, only feebly to be mitigated by a series of special protective and preventive agrarian measures. The farms, consisting of widely-scattered and intermingled strips, are consolidated as far

as possible, and an artificial legislation lends its aid—a process which is at work in Ireland, in Germany and Russia, and is almost at its close in England. The freedom the cultivators enjoy to sell their lands results often in disaster. Sometimes the land is sold at very low figures and the money characteristically disappears. Consequently, in many countries, certain restrictions upon the alienation of land become a necessary part of land policy. Such restrictions are seen in Denmark and in France, where the aim is to prevent an undue cutting up of the land into holdings of insufficient size to support a family. In Russia there are restrictions on mortgaging the land, which are found to be a necessary part of land reform. The peasant land, for example, can be mortgaged, generally speaking, only when the money received is used for improvements.

Russian Land Policies.—In Russia the epoch-making *ukas* of 1906 went directly against the principle of evolution of the *mir*. It was based upon the principle of individual property and of individual cultivation of the land. It resulted in a differentiation of a portion of the peasants forming a strong land-owning class of farmers, while at the other extreme were the peasants who constitute the proletariat, and who flocked to the cities or emigrated to Siberia. Indeed, it is the great discontent of the wretched peasantry, who found that the hopes they were led to entertain by the economic idealists were fallacious, that fed the ire of the Russian revolution at the beginning.[1] In January, 1918, the socialisation decree was passed in Russia which officially placed the whole arable area at the disposal of the peasantry. Immediately the peasantry proceeded to cut up the non-peasant lands in order to carry out this decision, which in their eyes was nothing but the restoration of their rights to those lands formerly wrested from their hands by the feudal aristocracy. But this added but little to the amounts already in their possession. After the distribution the individual peasant holdings were increased by scarcely a *desiatina*[2] apiece. Meanwhile the urban proletariat began to

[1] Ely: "Russian Land Reforms," *American Economic Review*, March, 1916.
[2] 2·7 acres.

go back to the land in large numbers. The soviet government introduced two forms of communal agriculture to meet the problem, viz., the large soviet estate which took over the land formerly held by large land-owners—that is, the best land—and which was managed directly by the State. This was of special value during the years of food crisis, while its educational aims in showing the masses the advantages of large-scale communistic agriculture over individual farm agriculture and of the possibilities of industrial development in connection with agriculture were especially emphasised. The other form of communism is the rural commune, which is a voluntary association but is subsidised by the State. The land it uses is the property of the State, and the members of the commune are permitted to keep certain fixed amounts of the food products they produce as compensation for their toil, while the rest must be placed at the disposal of the State. In spite of hopes raised in Russia, the progress of communism in agricultural life has been very slight. This has been due to the fact that the peasant has been disciplined from time immemorial to harmonise the claims of individual operation and common use in the system of the old Slavonic communalism, which therefore checked the new development of nationalisation, the acme of the communistic ideal. The peasantry thus began to apply their own methods of group work, which they had learnt to employ from time immemorial, while the soviet leaders also encouraged the agricultural associations, in which each peasant has his own property which he merely loans to the association for common and collective work. This is a striking departure from the communistic form of land use, but was made inevitable by the hostility of the masses of the peasantry to the nationalisation scheme which does not respect rights of private property that developed in the natural evolution of the *mir* itself. Thus to-day by far the largest portion of land, which was redistributed during the revolution, is now held as individual holdings. According to the figures at our disposal for the thirty-one provinces of Soviet Russia, the total amount of land that formerly was owned by those who did not actually work on it, is

(exclusive of forests) 24,151,000 desiatinas. Of this land, 20,798,000 desiatinas, or 86 per cent., have been taken over by the peasantry as individual holdings; 9 per cent. have been given over to soviet estates; 2½ per cent. have been taken over by rural communes and agricultural associations; and 2½ per cent. have been given over to various governmental institutions. If we add the amount taken over by the peasantry into individual holdings to the amount of land already held by them under the same arrangement, we shall see very clearly how small has been the progress of communism in agriculture, in spite of the very extensive agrarian scheme created by the decree of February 14, 1919.[1] But there has been great gain in leaving the village community free to frame its own regulations. The maintenance of the common live stock, the purchase of machinery, seeds, fertilisers, etc., the hire of outside labour, are all subject to equalising measures, while a village community may even decide to change from individual-farm to the collective form of agriculture by a majority of votes; in like manner as in Japan, where there can be an adjustment of the paddy holdings on the consent of half the owners. Real agrarian reforms require changes in government; for instance, provincial and local autonomy in much larger measure than at present is deemed possible is required to make the government elastic—that is, able to adapt itself to economic peculiarities in each region. The power of village councils and larger assemblies must certainly be increased.

Eastern Agrarian Law.—The East throughout her economic history has left her agricultural laws and practices to be managed by the village community, the clan, or the agricultural brotherhood. The State never could supersede the communal regulations which protected the interests of the small peasant proprietors as well as of those of the lacklands. Thus equalising measures were adapted to the stages of cultivation and the agricultural peculiarities of each region. In the East, a great portion of the work in rice cultivation must proceed in common, and the advantages of common holdings and common cultivation are manifest.

[1] Leo Pasvolsky: *The Economics of Communism*, p. 83.

Thus, the advantages of enclosure and consolidation of holdings are small in Eastern rice lands as compared with the wheat regions of the West, where differentiation and improvement in culture necessitate the application of capital and machinery to single consolidated holdings. And yet, in India, both agrarian measures and court decisions are bringing about the disintegration of the village community and giving birth to phenomena precisely similar to those which followed English land enclosures in the eighteenth century. These are followed by reparative measures, which represent the government's belated efforts to maintain or reconstruct the communal system, though there is no thought of the village community as a solution of land problems. When, for instance, the transfer and sale of land to moneylenders and traders became a source of economic and social danger, the Deccan Agriculturists' Relief Act, 1879, was passed for the benefit of encumbered peasant proprietors. The Panjab Land Alienation Act of 1900, and the Pre-emption Acts of 1905 and 1913, are also drastic measures calculated to preserve the integrity of the village community, by preventing any interference with customary rules. The object of pre-emption in the village communities is the preservation of the integrity of the village by preventing strangers to a village from becoming co-sharers therein (see 28, Indian Cases, 34 for Privy Council). In the Panjab and some parts of the United Provinces, the local enactments have the same object in view, and they are effective in preventing the lands of the agricultural classes from passing into the hands of moneylenders and other people who are opposed to communal interests. Pre-emption by custom, where the people of a certain locality adopt it as part of their personal law, or where it is adopted as a territorial custom as in *wajib-ul-arzes*, helps to protect the compactness of village communities, and through it their disintegration is checked. The Panjab customary law furnishes many instances of the principles which underlie the various systems of Hindu law; every locality tends to evolve a system of its own, more or less complete and fairly logical, with the usual differences as between castes and communities

of varying social and economic status.[1] It is very usual that in the customary law in the village community of this Province the proprietary body is the natural heir of all derelict land, and that whether the body has degenerated into a *bhaiachara* community or any other, its community of interest having been lost or maintained. By precise analogy in villages divided into *pattis* or *tarafs* or other sub-divisions, the presumption to be drawn from the history of the village is strong in favour of the reversionary right of the *pattidars* of one *patti*, etc., instead of the proprietary body as a whole. In the Russian village commune we have similar groups, with their sections of land, which are, as it were, communes within the communes.[2] In the case of the settlement of a stranger the probability is that the whole proprietary body assented to his squatting on a part of a common land, and there is a very strong presumption in favour of the reversionary rights of that body, whether it has been dissolved or still remains intact. Difference in religion does not involve any difference of rights in reversion. The right of pre-emption thus arises only in respect of a real village community, and not in respect of a mere paper village community, created recently for administrative purposes. The so-called *mouza jahunnama* has no revenue assessment and no proprietary body or headman. It is wholly occupied with some scattered buildings and gardens. It was held not to be a village community. On the other hand, wherever there is such a community the right of pre-emption may remain dormant for a time and then again become exercisable (P.R., 1897, No. 27). The common possession of the *shamilat* land, wells, and irrigation channels, and the participation in the village or its management as well as the payment of village dues, are sufficient to prove the existence of village community, even though the revenue is distributed over the number of ploughs according to which the village is divided into sections. In Oudh the right exists in village communities, whether proprietary or under-proprietary, and inheres in whole villages as well as

[1] Rose and Shafi: *Panjab Customary Law*, p. 237.
[2] See Pierson: *Principles of Economics*, p. 305.

in parts of them. In Agra in almost all village communities pre-emption prevails, irrespectively of race or religion, either as a custom or contract recorded in the local *wajib-ul-arz*. It is a question of the construction of the particular *wajib-ul-arz* whether the entry of pre-emption is evidence of a custom or contract. *Prima facie* it is evidence of custom, even though it be unsupported by proof of instances in which the custom has been enforced. (There is a considerable divergence of judicial opinion on this point.) In Bengal and Bihar, where village communities of the type prevalent in Agra, Oudh, and the Panjab do not exist, the right of pre-emption does not prevail in this form. Pre-emption is, however, recognised in Madras as a local custom [*e.g.*, in Malabar a mortgagee has a right to pre-empt the sale of the equity of redemption (see Ghosh on Mortgage, page 102)]. In Burma also there is, under the Buddhist Law, an analogous right of pre-emption in respect of undivided ancestral property. In Berar and Ajmer-Merwara, the law of pre-emption is codified by local enactments, which (to some extent) correspond with the Panjab and Oudh Acts. In Ceylon a right analogous to pre-emption appears to be recognised (Maine, p. 307).

It is interesting to note in this connection that pre-emption is recognised in the *Arthasastra* and the *Smritis*, and even in the South Indian inscriptions (No. 354 of 1908), and there is a continuity of tradition in this respect in Hindu law, so far as village communal interests are concerned. There is a continuity of structure in the organism of Hindu society in its different phases, administrative and economic, as well as social proper. The problem for the legislator is fundamentally one in these different fields, and a continued development of tradition suited to the Indian genius alone can furnish the key to the solution of the many difficulties and complexities that confront him.

Individualistic Law Superimposed on Communal Custom.—We need not recount here the effects of the British law and administration on the traditional village system. The relationship between borrower and money-lender in India, which was an historical product of custom,

was transformed into a legal relationship and the subject of definitions so precise as could be interpreted by the lawyer only or his agents. The moneylender with his tricky methods or the provisions of his mortgage deeds secured his aid. Formerly lands could not be sold, and the moneylender regarded the peasants as a going concern, his security being the next harvest. All this changed when land could be mortgaged and sold to the highest bidder. Thus, he began to take full advantage of his opportunities to exploit the cultivator, as these opportunities came ready to hand with the legal and judicial changes which altered village relationship as completely and as unfortunately as the permanent settlement changed relationship in Bengal. Neither a Deccan Agriculturist Relief Act nor a Panjab Land Alienation Act could stem the tide of the agrarian disorder. It is only by withdrawing the disputes between the moneylender and the ordinary cultivator and the greater portion of petty cases from the entangling nets of courts and court processes, and by leaving them to be dealt with by the village tribunals, that the effects of the transformation of the economic relationship caused by the British judicial system in India can be mitigated; whilst, by developing agricultural co-operation, co-operative sale, and co-operative credit, the evils of broken tradition and alien methods, which the adaptation of British judicial methods to India have done so much to intensify, can be removed. All this again did much to engender in the minds of the Indian a suspicion and even a contempt for British justice, the more so when he sees the rise of a low type of lawyer and agent who piles up extraordinarily high charges, the resort to every permissible process of application and appeal, the advantage of the rich man over the poor, and the law dragging on its snail-like pace to its uncertain end.[1]

It is plain that individualism, emanating from the legislator's anvil, the judge's rod, or the settlement officer's compass, has failed to become an instrument of agricultural transformation and progress, and the disintegration in some provinces at least has gone too far to admit of a renewal of

[1] Ramsay Macdonald: *The Government of India.*

economic regionalism by which the agrarian groups will once again determine individual rights of property as well as rights of the village communities, and demarcate them in the best interests of agriculture and social peace.

Rise of British State Landlordism in India.—The exigencies of administration also had their urgent demands. Warren Hastings appointed "farmers" of land revenue when money was urgently needed; such "farmers" were the greatest enemies of the village system. The directors of the East India Company, eager to increase their revenues, maintained the system of contractors or grantees, responsible for the realisation of revenue. This was followed by the permanent settlement of 1793, which safeguarded the government revenue against fluctuations of the seasons. The mistake of the permanent settlement was that the Bengal *zamindars*, who were only landholders, were identified with the English landlords, real proprietors, and the rights of tenants were thus curtailed. The origin of the mistake, which was subsequently repeated in more than one province, was due also to the fact that in Bengal, of which the British assumed charge in 1765, there were hereditary *rajas* and *nawabs* with their sub-feudatories, who obtained grants for services rendered to the Mughal emperors or *subadars*, and whose rights the British regarded it impolitic to contest. On the contrary, the government wanted to detach the territorially influential families from their Muhammadan superiors and gain them over to the British side by offering to them fixity of tenure and permanence of possession. But the effects towards the village communal system were the same as those of individual settlement and assessment in Madras and Bombay. The village shared in the common decay. The permanent system was introduced into Bengal, and into portions of Assam, the United Provinces, and Madras. In the Central Provinces, where the system is, however, that of temporary settlements, *malguzars*, originally mere revenue collectors, were, after the Bengal model, raised to the rank of landlords. Both in Bihar and Bengal, from the days of Muhammadan administration, there has been a superimposition by the State of individualistic and

capitalistic ideas of property. There has been a remarkable parallel development of economic and juristic institutions. While, on the one hand, capitalistic farming and landlordism, superimposed by the State, have overridden the communal interests of the village system, on the other hand, Jimutavahana and others developed individualistic concepts of property which dealt a serious blow to communal notions in the joint family and the coparcenary village community. But the Anglo-Indian revenue system, based on Western traditions of the origin of property derived from force or occupation, and coloured by the special peculiarities of the Bengal land system, was accepted as a model throughout India. Occasional examples might indeed be found of past governments, particularly Muhammadan, claiming almost the entire surplus produce; but they were exceptional and contrary to popular ideas of the sovereign's claim. Southern India, in fact, never had been under settled Muhammadan government. The earlier administrators, though repudiating in principle the theory of State ownership of land, virtually accepted it, but the later revenue officials went much farther. They based the State's claim as the proprietor of all lands in the *ryotwari* districts on the exceptional usage during the period of Muhammadan influence, or times of political unsettlement. It is unnecessary to recall the celebrated controversy between Lord Cornwallis and Mr. Shore (afterwards Lord Teignmouth), or to disinter the musty arguments of more than a hundred years ago as to whether or not the *dominium* over the soil is vested in the *sarkar*, and whether the cultivator's *kist* be a rent or a tax. Those were days in which, says an English writer, Members of the Board, collectors, and settlement officers made play with the divine right of kings and the social contract in a fashion that would astonish the more prosaic and less prescient officials of to-day. The government first created the middlemen, called them landlords, and, wresting some of the immemorial customary rights of cultivators, gave these to the landlords as guarantee of punctual payment of the *kist* of the *sarkar*; the government, by a foreign sale law and attachments, reduced most of the great *zamindars* of

Bengal during the period of about twenty years following the settlement to " distress and beggary " ; the government then gave the power of distraint, copied from English law, to the *zamindars* to relieve their distress, but they scandalously abused it ; the government then found it necessary to protect the well-recognised but violated rights of the *ryots*, and passed a series of tenancy measures ; latterly, the government, denying that any increase of cultivation or good to *ryots* came from *zamindari* management, held that the landlords should be deprived of the unearned increment, or at least a large portion of it, which should go to the State in the form of petty imposts, such as a road-cess, a percolation cess, an irrigation, or even a railway cess, besides the extra amount which they have to pay as taxes on their incomes. The theory of State-landlordism, new to the East, and based on the inapplicable analogies furnished by the Romano-Gothic or Muhammadan traditions, was applied ruthlessly throughout India. In the gradual supersession of the rights of the village communities over the village waste lands, or the service lands given to village functionaries, artisans, and servants ; in the payment of land-assessment to government without any reduction for customary fees for the maintenance of public works of the village, communal recreations, education, irrigation, or economic management ; in the resumption of lands granted revenue free ; in the periodical revenue unsettlements ; in the creation of " absolute landlords " as well as " absolute individual proprietors " against agricultural usage ; in the transfer of lands inherited from time immemorial to strangers, denying villagers any claim to preferential occupation, or to moneylenders, followed by eviction of the owners ; in all these we find the apotheosis of State-landlordism, first developed in Bengal but ultimately spreading far beyond its limits.

Working of State-landlordism in India.—Whether we have *ryotwari* settlements which are permanent, and *zamindari* settlements which are variable, and settlements of either kind fixed on good or bad bases, whether the government claims to be the legal owner of the soil or

whether it does not, the fact remains that the government is the *de facto* rent-collecting landlord; and that it not only collects the rents, but also fixes them for any period it chooses. State-landlordism, obscured in the permanent settlement of Bengal, has worked with a vengeance as regards the rights of the village communities, on the one hand, and of the immemorial peasant proprietors on the other, throughout the rest of India. Sir Thomas Munro (1820–7), whose name is especially associated with the *ryotwari* settlement of the greater part of the Madras Presidency, maintained that this was the old system of the country. In his anxiety to avoid Lord Cornwallis's *zamindari* management, and "to let the distribution of property remain as we find it and not attempt to force it into larger masses," he ignored the village communities, which existed from time immemorial, and which, and not the king's agents, sanctioned settlements and the taxes for them, collected the royal as well as rural revenues, and were responsible for the former to the king. He thus based the Madras system on an error, and the error spread to Bombay. Writing in 1825, Munro declared that "the greater part of our (Madras) territories have been acquired from native princes who did not employ *zamindars*, and who collected the revenue, as we now do, from the *ryots*, by means of *tahsildars* receiving a monthly salary and appointed and dismissed at pleasure"; though in 1812 the Fifth Report clearly recorded: "The village remains entire, they (the inhabitants) care not to what power it is transferred or to what sovereign it devolves; the *potail* is still the head inhabitant, and still acts as the petty judge and magistrate and collector and renter of the village." Inheritance, transfer, mortgage, sale, and lease were left without restriction, and the modern system of settlement, which dates from 1855, differs from Munro's in giving the *ryot* absolute freedom to relinquish his land, which destroyed the nature of a coparcenary community that had all along maintained the rights of entail, pre-emption or pre-occupation, as well as rights over the common lands and the waste. "Waste land may be taken up by any person, and once granted to a

ryot it is his as long as he pleases" (Munro). Nor were the rights of individual proprietors, now bolstered up, protected against periodical assessments. There remaining no body between the government and the individual *ryot*, the encroachments upon the rights of the *ryots* proceeded slowly but systematically. It is well-known that the early assessments in Madras, Bombay, and most other provinces were too heavy and caused agricultural distress. At each periodical settlement the officials found that the government were entitled to a larger share of the produce. In the province of Agra, including the ceded and conquered districts, the settlement was made with *zamindars* who claimed joint ownership of village lands, and latterly a species of headman, who is the representative of the joint proprietors, was instituted.[1]

Village Grouping under the Revenue System.—In the Panjab the village communities have been strong enough to resist the payment of revenue to the government of the day, and before British rule nothing was more common than for them to decide their disputes by petty wars against each other, instead of having recourse to any superior authority to settle them. But in some localities the present communities have been constituted from motives of convenience in the application of the British system of settlement. Thus, as the Administration Report, 1872–3, records, in the Simla hills and in the more mountainous portion of the Kangra district the present village communities consist of numerous small hamlets, each with its own group of fields and separate lands, which had no bond of union until they were united for administrative purposes at the time of the Land Revenue Settlement. In the Multan division, again, while regular village communities were frequently found in the fertile lands fringing the rivers, all trace of these disappeared where the cultivation was dependent on scattered wells beyond the influence of the rivers. Here the well was the true unit of property; but where the proprietors of several wells lived together for

[1] Cf. Sankaran Nair's well-known articles in the old issues of the *Madras Review*; also Chailley's *Administrative Problems in British India*.

mutual protection, or their wells were sufficiently near conveniently to be included within one village boundary, the opportunity was taken to group them into village communities. The same course has been followed in some parts of the Derajat division, where small separate properties readily admitting of union were found. These arrangements were made possible by the circumstance that the village community system admits of any amount of separation of the property of the individual proprietors, and by care being taken that in the internal distribution of the revenue demand it should be duly adjusted with reference to the resources of the separate holdings. They also in general involved the making over, in joint ownership to the proprietors of the separate holdings, of waste land situate within the new boundary, in which no private property has previously existed.

Old-type Panjab Villages.—In the Northern, Central, and South-Eastern districts, village communities have been in existence from a very long time based upon the tribal organisation. Though time and the effect of wars and feuds have much honeycombed the original tribal areas, the labouring classes, the carpenters, blacksmiths, potters, scavengers, leather-workers, and water-carriers have owed their allegiance to their tribal masters, emphasising the unity and integrity of each tribal division or village community which has persisted even under present administrative conditions and the emphasis of individual rights in severalty in the law courts. Unlike the North-Western Provinces law, Panjab local law does not allow, however, of perfect partition, excepting at settlement and for special reasons and with special sanctions. The right of pre-emption and the joint responsibility for the revenue are still the ties which hold the village communities together, though joint responsibility is a shadowy thing because serious default is rare and the modern revenue law, while asserting this joint responsibility as the general rule, acknowledges that there may be cases where it should be ordered not to take effect.

British Settlement Officials and Indian Land Ownership.—The permanent settlement was eventually sought to

be made with the village *zamindars* as far as possible. In many cases the village *zamindar* recognised was the single person who engaged for the payment of the revenue, having been able to raise himself above the other members of the community to a position to which he was not entitled. In other cases the *zamindar* recognised was merely the farmer of the revenue who had succeeded in establishing his claims to be such by long tenure of the office. In both these classes of cases the village communities lost their character; and it was only in those cases in which settlement was effected with the whole proprietary body through their representatives that the *pattidari* or *bhaiachara* tenure, as it is now known, survived. Many of these sometimes disappeared when estates were sold up for the default of a single *lambardar*, or were handed over bodily to outsiders owing to the inability of the village community to pay the revenue demand. The settlement officials were unduly hampered by ideas about property in land drawn from other states of society, and assumed that the absolute right to each plot of land must vest in some individual or body of individuals, subject possibly to subordinate rights of other persons which they considered as limiting the absolute right of the proprietors of the land. As we have seen, this is why mere revenue-contractors were vested with the full rights and privileges of absolute landlords in the permanently or temporarily settled tracts, to the prejudice of the peasant-proprietors. In the *pattidari* villages of the Panjab and the United Provinces, which were managed on the rent system, there was not much hardship. The headmen, according to the custom of the villages, shared all the profits and bore all the losses of the village as a whole, realising fixed rents from the cultivators; in such villages those headmen, in whose names the previous leases had been made out, were declared to have the proprietary right in all the land of the township, and the other cultivators were declared to hold under them as tenants. But in villages managed on the *bhaiachara* system all the cultivators shared the proprietary right in the township on an equal footing, and they all laid claim to the proprietary right on the ground that

they had broken up the prairie without asking any one's leave, and that they had all paid on their cultivation at equal rates. Their claims, however, were sometimes rejected, and only those headmen whose names had been mentioned in previous grants, or the descendants of such men, were declared to be the proprietors of the whole village. This was an obvious injustice based on an error. Again, instead of recording each constituent household of the village community as entitled to a fractional share in the village, and as holding in cultivating possession the land occupied by its members or by tenants whom they had settled, the British recorded and treated it as "owner" of this and other land occupied by tenants which they had settled. Formerly the village community gave the cultivator who broke up land a right to hold that land undisturbed so long as he paid the revenue on it, but gave him no further rights. The village community gave him this much whether he was an owner or not, but now this was all revolutionised, with consequent confusion and unsettlement. Property in severalty, based solely upon actual possession, which is entirely a creation of British indiscretion, compelled the government to deal not with villages but with individuals, collect a separate demand from each of several thousand cultivators, and let loose a swarm of revenue subordinates in each district. Thus, there remained practically no medium between the village community and the *ryotwari* village of the provinces of Madras and Bombay. While there has been a shrinking of communal interests, in the permanently or temporarily settled tracts indirectly brought by the creation of an alien and powerful vested interest in land, the British government converting occupants into full proprietors in other parts of India has dealt a direct blow to the coparcenary village community. Even coparcenary communities in joint villages have been encouraged to divide their respective responsibilities for the revenue according to the assessment of their respective shares.

Danger of Absolute Ownership of Land in India.—The bewildering variety of tenures in each province in India is due not merely to historical conditions and circumstances

but also to the desire of the government to mitigate the hardships of the forced transition from cultivating possession to absolute ownership and to harmonise as far as possible the inevitable conflict of claims of individual proprietorship and the intervention of the community. The conflict will grow more and more acute as time goes on with the pressure of population, and the intensification of economic life due to a higher standard of comfort; and a more intensive use of the soil cannot prevent the scarcity of land: thus more and more will be felt the necessity of restrictive and equalising measures in the interests of the community. That the limits of extensive cultivation have been reached is clearly manifest from the fact that while the average percentage of the total productive area of arable land for nine European countries is 47·7 per cent. (Belgium, 55·6 per cent.; France, 47·6 per cent.; United Kingdom, 26·8 per cent.), that of India is already 62·6 per cent.; the average percentage of forest land is 21·6 per cent. for the European countries (Belgium, 20·6 per cent.; France, 18·8 per cent.; Germany, 27·4 per cent.) and 17·5 for India. The division of marshes, heaths, and uncultivated soil is 24·7 per cent. in United Kingdom and British India; much land is not available from this division without a great investment of labour and capital. Diminution of the area of forest land in India has already endangered the course of rainfalls, and, therefore, the production of crops, said the Famine Commissioners. Cereal crops already occupy less than the average in twelve countries (60 per cent.). In Hungary it is 72·7 per cent.; in Rumania, 83·9 per cent.; in Bulgaria, 65·4 per cent.; France, 57·6 per cent.; India, 60·0 per cent. Thus both the margin of productive land which can be used for other than arable purposes, as well as the margin of arable land which is yet available for cereals, is very small, and cannot be much increased without endangering the already diminished supply of livestock in India. Intensive cultivation, which has been in vogue for a long time, cannot prevent the want of soil; thus the redistribution of land will soon be forced as an imperative agricultural need unless we are prepared for chronic famine and continued agrarian unrest.

Necessity for Partial Restoration of Village Rights.—The immemorial rights of the Indian village communities are thus seen to have a new significance to modern agriculture and economic peace. Preventive or equalising rules and regulations in a deeply socialised agricultural communal life made impossible in an old and densely-populated country the growth of a landless proletariat, or of a great disparity between wealth and opportunities. Already the village forests are subjected to a forestal economy under State regulations in the interests of agriculture and of the agrarian groups. But it is obvious that the adjustment of conflicting interests, which will have to be in the nature of a compromise, and which will vary according to local conditions and circumstances, will be better and more efficient if the village elders are given initiative as well as guidance. Thus, no State intervention can accomplish what is achieved by the village communities themselves by equitable regulations to cut grass or firewood from the village forest, to supply labour or money for the maintenance of village tanks or water-courses, to graze a certain number of cattle in the pasture-grounds, to use a stipulated amount of water from irrigation channels, etc., by restrictions on the sale or transfer of arable lands, by regulations making the right of ownership of land dependent on the tillage of the soil, or by positive equalising measures as regards allotments of meadows or arable lands, or periodical divisions so arranged by a due consideration of the factors of distance and quality as not to destroy the interest of the individual in good cultivation of the soil, while at the same time satisfying the demands of the lack-lands. Such kind of regulations and equalising rules, judged absurdly uneconomic from the modern English standpoint, had their advantages in Germany, Denmark, England, Scotland, and Wales, and still have their uses where traces of them exist, as in Russia, Siberia, Japan, Java, and India. If neither social waste nor land-nationalisation is tolerable, and yet the growing conflict between the haves and have-nots is to be prevented, the village communities should be restored some of the rights wrested from them by the application of the theory of State-landlordism

and given a lead to pursue their equalising policy through the system of scattered ownership or a discriminate periodical re-adjustment, which will apply differently to different kinds of arable land and meadows, and which can be effectively carried out only by these bodies in the interests of agricultural progress as well as social contentment.

Blight of State-landlordism in India.—All these represented the natural and normal functioning of the Indian village community, here and there still to be seen amidst adverse circumstances, the self-determination in relation to its economic habits and traditions. Unfortunately British administration has treated, and is still treating, these with indifference, thus jeopardising the larger interests of agriculture and of the people. The steadily diminishing supply of agricultural labourers, who are coming to the towns for employment, the increase of a class of landless day-labourers, the disbelief of landowners and estate agents in small holdings—all these represent recent but pressing problems of our economic life: State-landlordism and the dispossession of communal rights as well as periodical unsettlement and assessment have been responsible for the fact that agriculture is becoming unprofitable in some parts of India. It is State-landlordism also which has created at the base of the economic structure the growing mass of impoverished and discontented landless peasantry. It cannot be denied that the general effect of the great estates, brought into existence in recent years by British landlordism, is the extensive cultivation of the soil; the economic equilibrium cannot be stable, however, unless the redistribution of the land comes about, because it is not merely the want of soil that drives the Indian peasant to emigration, but it is also the great land-estates and the land-owning class which prevent the intensive cultivation of the soil. Great estates are pushing the production of primary goods to extensive cultivation, and although they may involve some economies in general expenses and partly of labour, their effect is to diminish the number of producers and to reduce the quantity of products (Kovalevsky).

Land Reforms Necessary for India.—There is a grow-

ing demand for allotments which can no longer be ignored, though there is not as yet any widespread agitation. Small plots of lands are to be provided. If we are repeating the stages of English rural decline, we should have also the recent English remedies. The English Acts designed to afford access to small holdings are required in India. In proportion as intensive cultivation, co-operative methods, and the careful study of markets for agricultural produce develop in India as they have done in the West, the land will be increasingly occupied by small men. The government should not only forego its rights to the village common woods and wastes, but also should strengthen communal rights and encourage the traditions of communal agriculture, including the periodical division of arable land and meadow where it is not forgotten. The village assembly should be empowered also to provide thoroughly equipped small holdings, if so required, by a scheme following the English Acts ; they should select the tenants, and collect the rents, and be encouraged to create new holdings by consolidation or adjustment. In Mysore, a special government order, 1916-17, for the settlement of pasture lands and wastes in Kankanpatti *taluk* and Closepet *subtaluk*, has made special provision for the lack-lands. The following priority of claims has been established. The landless labourers should be given these lands at just the cost price of the subdivision, including the cost of trees. The Panchamas among the landless receive special treatment, the government helping them towards settlement and cultivation. When they are provided, the lands are sold off to the highest bidder. In England, the Corn Production Bill, which guarantees a minimum wage to the labourer and minimum prices to the farmer, gives the State power to determine the tenancy of an occupier who is neglecting his farming, and to deal with a landowner who so mismanages his estate that his tenants cannot farm properly or who is using his land for sport instead of the growth of food or timber. One can anticipate the restoration of some of the immemorial rights of the village community on these lines, under the lead of the State, by a devolution of power and responsibility on local

bodies. Such powers will not be exercised widely, but their existence in the background will restore the old stability of agriculture. Local government, the communal system, village community life, small holdings, all are closely interconnected, and piecemeal legislation nowhere will be more futile than here.

CHAPTER XIX.

A NEW ANGLE OF VISION.

Recent British Decentralising Policy in India.—We have seen that British administration in India has ignored, and more or less suppressed, the economic habits and traditions of the village communities with regard to land rights, and by introducing individual property in land and the right of alienation forced upon the communities forms of property contrary to the economic interests of the majority. Juridical traditions similarly were long ignored, but they have survived the encroachments of British civil and criminal courts and the bureaucratic system of centralisation. It is true that following the publication in 1812 of the Fifth Report which laid bare some serious abuses in civil and judicial administration, an attempt was made at the instance of the directors of British administrative policy to revive the old system of *panchayats*, and the Madras Village Panchayats Regulation, 1816, was passed, but this did not lead to anything. It is only recently that these indigenous traditions have been sought to be seriously and discriminately utilised by the administration. Local autonomy and self-government are the foundations of real order and progress of a people. In the sphere of local government, it was found that paper administrations and administrative papers could not be made to harmonise with the political instincts, habits and traditions of the people; and yet, without the co-operation and association of the people with the British power, the government of so vast a continent as India was an impossibility, though the economic disintegration of the village community unfortunately was possible. Thus there has come about a

change in the angle of vision. While, on the one hand, the idealist and the utilitarian premises about institutions have been found too bare and too simple, administrative history in British India has proved also the futility of abstract economic and political theories deduced from Western facts and conditions. The part played by the traditive political instinct and behaviour can no longer be ignored. The juridical traditions and the local bodies and assemblies, notably the *panch*, in which the political experiences of the past have been embodied, have since been sought to be enlisted in the cause of British administration. The Local Self-Government Act of 1885 constituted district boards, partly nominated and partly elected, to undertake the administration of the road cess, primary and middle schools, sanitation, dispensaries and vaccination, and sought to relieve the district magistrates of much of the burden of district administration. The local and district boards were modelled after the county councils and rural district boards in England, and have not been very successful excepting in the new larger towns where there was no other machinery of social self-government, and where the intelligentia nurtured in Western civilisation are gathered in full strength. The Civil Service of India, in the beginning, had little sympathy with Lord Ripon's local self-government legislation; thus the system which he wanted to introduce was doomed from its birth. The smaller representative bodies are only recently sought to be galvanised into life. Village tribunals for the disposal of petty civil suits have advanced beyond the experimental stage in some places in India and are not yet past it in others. But the artificial administrative committees, such as *chaukidari panchayats*, local fund unions, and village sanitation and education committees, which are the creation of recent legislation and administration, have borne little fruit. The recommendations of the Decentralisation Commission, 1907, as well as those of the Montagu-Chelmsford Report, aim to establish complete popular control in local bodies as far as possible. A more recent and important resolution of 1919 indicates the manner in which the Government of India would desire

progress to be made along the road of local self-government. The resolution recommends a substantial increase in the present elective element among the members of municipalities and rural boards, representation of minorities by nomination, and securing official experience by nomination of officials without the right of voting; and discusses the *panchayats* which it is proposed should deal with village sanitation, village education, and have jurisdiction in petty civil and criminal cases. These recommendations represent the first portion of the three classes of measures foreshadowed in the announcement made by the Viceroy; the other two being the greater Indianisation of the services and constitutional reforms proper.

Suggestions for Further Decentralisation.—Lord Morley in one of his despatches once remarked: "The village in India has been the fundamental and indestructible unit of the social system, surviving the downfall of dynasty after dynasty. I desire Your Excellency-in-Council to consider the best way of carrying out a policy that would make the village a starting-point of public life." Freed from the vexatious interference of deputy collectors, circle officers and *taluk* subordinates, the *panchayatdars* ought to be entrusted with real administrative and judicial powers with regard to all land disputes and encroachments, all questions relating to agricultural custom, all regulations and restrictions with regard to village forests and fisheries, common lands, grazing grounds and the irrigation and even division, sale or transfer of village arable lands and meadows; the maintenance of village roads, schools, markets and rest-houses, all land or monetary claims arising out of agricultural contract below a certain value; and all matters relating to village sanitation, excise, poor relief, agricultural improvements, cattle breeding, domestic industries, etc. A detailed code should be drawn up to show the limits of jurisdiction and the nature of the cases for which no appeal will lie from the decision of the *panchayat*; decentralisation should become an actual practice, and not a pious resolve. Provincial and district board funds should be allocated to village *panchayats*, the *panchayats* should be empowered

to levy new cesses or legally to continue old ones, and the revenue derived from the village should be expended in the village as far as possible. Groups of villages should be encouraged to form unions or revive them where they are in abeyance, and these ought to replace the new artificial administrative creations. Formerly the village boundaries were preserved intact, and it was one of the sacred duties of the village officers to see to their preservation. This is essential for the maintenance of the integrity of the village community. But now the State or the *zamindar* can group pell-mell two or more villages, or their fractions, or divide villages to suit their convenience, thus destroying the natural foundations of the village communal system. Larger unions or smaller divisions, when necessary, should be formed voluntarily by the villages themselves along the lines of the old indigenous local groupings. One reason why unions and *taluk* boards do not excite enthusiasm is that they are mere revenue divisions, settlement squares, or excise, sanitation or education circles belonging to an essentially bureaucratic system of centralisation ; the community ceases to exist in the eyes of law. All these self-governing institutions which are the creations of British rule have no resemblance, however, to our ancient autonomous local bodies, and do not at all constitute a continuation of them. The control hitherto exercised by government over municipalities and district boards has also done much to inhibit the development of a popular feeling of civic responsibility, and a resolution (April, 1915) lays down that authority entrusted to the local bodies must be real and should be freed from unnecessary control ; that if a municipal or rural board has to pay for any service, it should control it ; that it should have real control over the funds and is not to be harassed by constant dictation of government departments in matters of detail.

Administrative Policy for India.—In the case of rural administration, if local government is to attain the success which it has achieved in other countries, the new machinery not only should start with the *panch*, utilise and expand the indigenous system and continue the country's tradi-

tions, but also should develop all along the line on the indigenous models, expanding the village council into district boards and councils and amalgamating these with the city municipal councils, ultimately to form an integral part of the provincial government. Not merely should there be an expansion and development of the indigenous system of village administration and social rule, but there is need also of relaxation of government control, to a degree hitherto untried. This alone can prevent the dominance of exclusive bourgeois and capitalistic interests, subordinating the welfare of the vast mass of Indian agricultural population which is being jeopardised in our new administrative creations.[1] The political instincts and traditions which have embodied themselves in indigenous local bodies and assemblies constitute the real driving power which ought to be trusted and guided, and which alone can convert the system of administration, and the constitutional rules and conventions from a formal machinery—a mere scheme in the political reformer's brain—into a living institution for the expression of a reviving patriotism and civic responsibility.

[1] For a description of cesses and taxes and of expenditure on public works which are carefully adjusted to diverse social needs and interests in the Indian villages, see my *Principles of Comparative Economics*, Vol. II, chap. XIV.

CHAPTER XX.

THE VICISSITUDES OF VILLAGE ADMINISTRATION UNDER THE BRITISH RULE.

Three Tendencies of Administrative Policy.—The history of village administration in India under British auspices has shown successively three tendencies. The first is the complete neglect of the indigenous self-government in the village *panch* and the super-imposition thereon of the inorganic elements, the headman, the police and the accountant in the interests of the revenue as well as of the criminal administration. The second is that of bringing the residual sources of traditional authority in the village into the fold of central government by a system of grants and salaries, doles and subsidies in addition to their customary shares in customary forms of property, and by a system of nomination and ratification exercised by the district magistrate. This has been bringing about loss of initiative of the people as regards sanitation, education and public works, which formerly were maintained by the indigenous machinery and public spirit, but which are now jeopardised under opposed principles of administration and authority. The last is a tendency towards decentralisation by the formation of union committees and local bodies, the effects of which on the rehabilitation of rural economy are yet to be seen.

Liberalised Administrative Scheme.—It will be wise statesmanship to utilise the existing indigenous machinery in the scheme of a liberalised administration that is now being discussed so that, along with the *intelligentia* claiming their political status in the central councils of the Empire, the teeming millions of India also should have their rightful

place in the public life of the country. When the rights of village assemblies are carefully defined and safeguarded against the encroachments of a centralised administration, they may deal more on an equality with the highest parliamentary bodies, and their incorporation into larger unions in adaptation to larger administrative needs will not be attended with loss of initiative and independence. All this implies that the character of Indian government should undergo a change from the unitary to the federal type. The Montagu-Chelmsford Report has clearly and boldly asserted that real powers will be entrusted with our local bodies and *panchayats*, but it is not sure whether a satisfactory scheme can be evolved " out of the present uneven materials."

Past Administration and its Effects on Village Life. —Half a century ago, the village assemblies had proved incompatible with the revenue system of British government. Therefore the village entity was not recognised and individual settlement and assessment were introduced. The successive revenue settlements, while they substituted individual for joint responsibility for government revenue, substituted individual for village ownership of land. Formerly the village owned the house-site and any villager could secure land to build on by paying a small fee to the village. It also had the lands outside the house-site which were given to village employees as an inducement for them to remain in the village. The steam-roller of a bureaucratic administration was applied for levelling down all communal rights : the village claim to preferential occupation, rent or compensation was scrupulously denied. Even the common lands, *i.e.*, fodder and pasture grounds and the main channels of minor irrigation, became government lands, and sometimes these lands were assigned in favour of individual proprietors on full assessment. The forces at work favour the extension of cultivation, grazing becomes scarce and valuable breeds cease to exist or seriously deteriorate. The action of the Forest Department encroaches upon the assured village common and communal rights. In the Panjab the uncertain interpretation of cus-

tomary law with reference to private and communal rights has been the most fruitful source of irritation and has made the people the most litigious in India. The atmosphere natural to custom is not the British court but the *panchayat* or *jirga*, and thus custom has ceased to be modified by natural conditions on account of the artificial and outside influence of court decisions. In the joint villages of both the Panjab and the United Provinces, the British revenue officers, while maintaining the collective responsibility in name, have advanced towards individual assessments, and treated in practice the co-proprietors as individual proprietors. This has encouraged a distinct tendency towards a regular *ryotwari* system, which has long been in vogue in Madras and Bombay. In Bengal and Oudh a powerful landed aristocracy has been created, which has proved unfavourable to the growth and efficiency of the communal village system. In different parts of India, assignments of land or of money, held on what is known as service tenure, had still continued as grants which imposed duties on the holders. Such grants were made originally by the government with a view to ensuring the customary performance of certain services in each district and for each village. Village service is still being rendered in return for the grant of land or money. But, by the introduction of the revenue survey and the organisation of a stipendiary police, the former system of district service is encroached upon. In Bombay an arrangement has been introduced under which the holders of district service assignments become, on repaying a portion of their emoluments, free from all liability to serve.

In Madras, by a series of enactments and by the course of civil court decisions, the village officers, servants and artisans were freed from their obligations to the proprietors of land or to the village community. The old village officials were converted by the government into government servants, and became in the popular estimation government tyrants; while the subordinate magistrates and civil judges cannot enter, as the *panchayats* did, into the details of village life. The artisans and servants enjoy the benefits of the old village communal system in the retention of their

house-sites without having to render any service in return to the proprietors. Their right, however, to the shares at each harvest is destroyed by a series of decisions of the courts, and is too often unrecognised, and thus the rural economy is rudely disturbed. Their payments no longer depend on the services they render. Legislation has resumed the village service lands and imposed a tax in lieu of fees without any restriction as regards its utilisation. Thus the employees of one village may be paid out of the funds of another. The village employees have ceased, in fact, to be employees of the village. Even the communal labour which was commanded by the village community is no longer at its disposal, but has been taken up by the government itself under the provisions of the Compulsory Labour Act, Madras.

The effects on rural administration were no less serious. Writing in 1895, Sir Sankaran Nair said: "The *ryotwari* system, which made each individual *ryot* responsible for the payment of land-tax on his land, was a great blow to the communal system. Naturally every *ryot* tries to get his land assessed as low as possible. Instead of having to deal with his own village headman, who knew everything about his land, and who could with the help of the village elders settle at once his own share of what the village had to pay to the ruling power, he has now to deal with a stranger generally ignorant of the conditions of village life. Other disputes between the members of the same village were then settled without difficulty. Even in the case of a difference with a neighbouring village, the village headman resorted to the king's officer and the disputes between the two villagers were settled immediately. No application was rejected on the ground that it was not stamped. No professional assistance was necessary to draw up petitions, nor was any reference necessary to any officials. The villagers were not dragged to the various stations of the Revenue Officials; no interpreters were required, and, above all, the decision did not then rest with one not controlled by public opinion. The result was a speedy settlement of all agrarian disputes. But now once a man

obtains possession, the other villagers are not able to dispossess him easily. The various revenue settlements indicate the process of disintegration."

Oid and New Police Systems in Conflict.—The superimposition of the governmental machinery of administration has often led to a duplication of the village police and magistracy and the friction and waste therein involved. The bases of the ancient police system of Southern India, the *kudikaval* or *stalakaval*—the village watch—has still survived. I have found in the interior of Tinnevelly even Brahman *kavalgars*. Among the *kavalgars* there is a regular division of areas, levy of *kaval* fees as well as agreements, restoration of or compensation for a thing stolen being the main feature of the *kaval* system. This regular or irregularly regular system of protection satisfies the villages. In the district of Ganjam, the *dandasi* exercises the same functions as the Tamil *kallars* and *maravars*. These *dandasis* have a headman called *behara*, who exercises authority over several groups of villages, and each group is under a *nayako*, who is assisted by a *dandia*. For every village there is a *bholloboya*, and in some places there is an officer called *boda mundi*, appointed by the *zamindar*, to whom irregularities in the community have to be reported. This, indeed, is a continuity of the older police system described, for instance, in the *Apastamba*. If theft in the village cannot be discovered by the village officers, they are to compensate the owner for the property stolen. In Tinnevelly and Travancore it is felt that the indigenous system of private police has still its uses, and its suppression has not been of benefit to the rural population. The military and feudal régime has left its former exponents and representatives in the *kavalgars* and the *kapus* of the South, the *thandans* of the South-West, the Bhils, Pasaitas, the Kolis and the Ramoses in Bombay, the *paiks*, the *kavalgars* and *chaukidars* in the North, who were held responsible for the prevention and detection of crime, and whose services could well have been utilised in the present police administration. Even to-day the Kallars and the Maravars in the Tamil districts, the *pannagars* and the *thandans* in

Malabar, the Gujars and the Jats in the United Provinces, and the *chaukidars* in Bengal are playing the important part of the private police.

Need of Co-ordination and Devolution.—Similarly, the communal organisation of industry in Indian villages has still preserved some vital traditions: these may be re-educated and reorganised in a scientific scheme of agricultural and industrial co-operation, built on the bedrock of the original and essential co-operation that has its basis in the ancient and deep-rooted communal instincts and habits of the people. On the other hand, nothing can help the development of the *panchayat* and the co-ordination of its activities more than the incorporation of the staff of village artisans and employees along with the headman and the accountant as an integral part of the machinery of village self-government and economic management. The Forest Department, instead of endeavouring to show a commercial profit and of making new forest imposts, ought to hand over the management of what are really not forests at all, but common lands and waste, to the village bodies supervised by an office analogous to the English Enclosure Commissioners; the Irrigation Department should utilise and strengthen the living traditions of communal labour in the construction of the minor works of irrigation, and hand them over to the villages which have still their irrigation men and certainly can manage the local distribution of water more equitably and more economically than any centralised body is able to do. Improved methods of agriculture, cattle-breeding or rural industries and handicrafts can be spread only by a more direct and intimate association of the Department of Agriculture and the Department of Industries with the village bodies. Problems of agricultural and industrial education, vocational guidance in domestic industries or agricultural science, hygiene, sanitation and domestic management can be solved only by a greater devolution of work and power in local bodies than yet has been tried. Local knowledge and experience should give life and meaning to the dead mass of government paper reports and returns. The Department of Co-operation

should address itself to the task of strengthening and encouraging the indigenous traditions of agricultural co-operation; utilise or revive the village *nidhis*, grain banks, temple granaries, and *dharmagolas*. Industrial co-operation should adapt itself to the need of rehabilitating the village artisans and revise according to modern economic standards their eleemosynary shares. The organisation of industrial and agricultural labour collectively controlled by the village assembly, communal labour for works of public utility, and communal support of the personality-social classes, the occupational guilds and unions, etc.—all these hold in solution some of the advanced ideals and tendencies of the modern co-operator, and await renewal at his hands. Co-operation has already made great progress in India, but as yet has ignored the indigenous economic habits and traditions in this regard. The common village functionaries, bound to village service, and the immemorial local organisation of government, industry, and public works go on silently existing, and still effectively functioning, but almost unknown to British officials and unauthorised by British tribunals. The street watch and the field guard, the employer of village day labourers, the irrigation man, the *neerghunti* in Mysore, the *niranikan* in Central Madras and the *madayan* of the South, the parish priest and the *koil pillai*, the medicine man and the barber, the village playwrights and minstrels, the scavengers and leather-dressers, the *vattiyans* of the South, and the *chamars* of the North, are entrusted with important economic functions and receive shares in grain at harvest. They are to be found in one province after another, still vital fragments of another local organisation, but never yet described and never yet properly utilised.

Essential Measures of Reform.—From the point of view of administrative efficiency such measures as the following seem to be essential: the restoration of the traditional responsibility of the village officers, artisans, and employees to the village; their appointment and their payment by the village community out of property still belonging to the village, or cesses or shares of grain at the

harvests; the increase of the powers of the *panchayat* court in respect of punishment for offences, empowering these courts to cognise suits of value not exceeding Rs. 500, and the removal of the concurrent jurisdiction of the district *munsiff* in civil litigation, and of the subdivisional magistrate in criminal cases; the repeal of the different acts and enactments by which the government has taken upon itself that responsibility; the restoration of the independence of the village officials; the preservation of the village as a territorial unit, entrusting the *panchayats* with real administrative powers regarding village forests, education, irrigation, sanitation, etc., as mentioned above. In matters relating to agricultural custom, pre-emption or pre-occupation, redistribution of arable land, modes of possession, absolute or qualified, joint or separate, and systems of inheritance, by will or by statute, primogeniture or family, conservation or fragmentation of estate, which are inseparably bound up with rural progress or decline, the greater the devolution of work and power on agrarian communities, within the limits, of course, of co-ordinating legislation of the State, the more natural will be the adaptation of custom to changed economic conditions, and the more surely will the threatened evils of agriculture be averted or mitigated. It is also only lately that British administrators have come to recognise that the village system offers special facilities for rural government, for repression of crime, for irrigation, for punishment of moral delinquencies that do not come under the purview of law and gradually for introducing systems of communication, sanitation, education, and industrial organisation adapted to the particular needs of the locality. The village system also dispenses with the necessity of a poor-law administration, for each village takes upon itself the task of securing its incapable and pauper inhabitants from starvation. From the point of view of local government the indigenous machinery of village rule and economic management has immense possibilities if only it is properly utilised. Not only will the administration be easier and more efficient, but also the local bodies and village councils will themselves be more easily and naturally adapted

to the larger economic, administrative, and cultural needs of to-day, and thus the Indian rural democracy be established on broader and more stable foundations.

Japanese Scientific Scheme of Local Government.—In Japan, rural progress has been scientifically guided, and has followed a symmetrical plan of campaign in which the indigenous local bodies and associations have all been utilised. These local associations have their own measure of self-government under a council of village elders, and enjoy considerable powers of taxation to meet expenditure upon works of local improvement. They are the points at which the agricultural, educational, co-operative, irrigation, and engineering experts of government impinge upon village life, and the ideal has been to arouse the sense of association and local responsibility and not to suppress them under wooden routine and bureaucratic red-tapism. Small villages, each under its own headman, here have been grouped into unions under a headman or *soncho*. The *soncho* is elected by the people of the union, the governor of the prefecture ratifying the election. To assist him, there is a council composed of the divisional and the subdivisional headman elected by the people and the officials. In many villages, separate councils are not appointed, but the *soncho*, or elected headman, administers the affairs of the village with the aid of the village officials during the intervals between which the village assembly meets. The village assembly passes the budget and records its decisions, which afterwards are amplified and given effect to by the village council, when there is one, or by the village headman and his staff.[1] Neither the central government nor the prefecture authorities interfere with the work of the unions, which are left to solve their own problems of social and industrial life ; they receive special subsidies for exemplary work and also the advice of experts who are sent out by the central government. In India, out of the present materials of communal life and organisation, intermediate units between the individual village and the sub-district may be revived without interfer-

[1] *Vide* Sir M. Visvesvaraya's description in *Reconstructing India*, pp. 81–2.

ing with any of the existing arrangements for the collection of revenues. Village councils and larger local councils, affiliated as in the traditional caste polity in an order of hierarchy, may solve the problems of local self-government, possessing on the one hand the resources which individual villages cannot command, and on the other exciting that personal interest without which local administration cannot be a success.

Examples from other Colonising Powers.—Even the Russians in their Central Asian provinces have been careful to preserve the local institutions of the Eastern peoples and to profit by their inherent ability for self-government. In the Russian administration both the permanent village (*volost*) and the nomad village (*aul*) still continue to elect their headman and elders. Villages, averaging 100 houses, or *kibitkas*, are represented officially by *starshinas*, who are elected by the people. A group of twenty-five villages is the next administrative unit. The judges of the village courts still continue to decide petty, civil, and criminal cases. These, as well as the *mirabs*, who characteristically enough correspond to the South Indian *nirghantis* and *madayans*—officials who allot the water supply for purposes of irrigation—are still elected by manhood suffrage and recognised as parts of the administration. The district courts consist of the chief, aided by five "popular judges," who are selected from the personnel of the Courts of First Instance. These latter hold sessions weekly at the headquarters of each *volost*, for the trial of petty cases. They are composed of five "candidate judges," elected by villagers in the several *volosts*. This system is much appreciated, and perjury rarely occurs. Similarly, in the Dutch Indies, government regulations provide for the self-government of villages under their headman, called *loerah*, assisted, as in the Indian villages, by a small staff of functionaries such as a secretary, night-guards, and priests. In Burma the joint-responsibility of the village community has not been neglected. Recently benches of headmen with magisterial powers have been established. The village crier, *ywazwa*, in every village of 100 houses and over, the rural policeman, the ten-house

gaung or headman's agent, the *ywagaung* in each village of twenty houses and over, have been officially recognised and exempted from capitation tax. Local self-administration and the ubiquitous *panch* are among the rich and successful experiments of the East in political life and organisation, and the rehabilitation of these will be attended with much better results than the introduction of ready-made but unassimilable systems from abroad.

CHAPTER XXI.

CONCLUSION.

Disintegration of the Western Monistic State.—In the West, representative democracy on the one-man-one-vote basis, with its party organisation, majority rule, bribery, bossism, and all other excrescences, has failed. The reaction against a centralised and all-powerful State is clearly manifest in many quarters. The idea of sovereignty may once have been true and useful. The unity that hitherto has been imputed to the State is of a purely formal or even nominal kind. From its earliest appearance the theory of political sovereignty has been, as we have seen, a defence of public order against anarchy. Political evolution, however, has reached a point where subordination of subject to sovereign has very little to do with public order. Thus the distinction of sovereign and subject, which was once the primary political fact, has come to play little or no part in the political consciousness of law-abiding people.[1] The emergence of the doctrine of paternal government and the growing complexity of industrial life have led to an enormous multiplication of ministries, boards, commissions, bureaux, and councils which have broken up the unity of the State. These are subject to regulation and supervision, but in the nature of the case their action is, and must be, largely independent. Duguit regards this tendency to decentralise the State as one of the most important of modern political movements. It would result in the multiplication of governing boards and public services in largely independent corporations; this is precisely the goal towards which the

[1] *Vide* "The Concept of the State as Power," by G. H. Sabine. *Philosophical Review*, July, 1920.

French administrative syndicalists are aiming. In fact, this tendency, which has been especially emphasised as the natural and in fact the only way of meeting the increased demands of the war, is synchronous with the advent of socialism. As we have seen, the council government is the product of the incorporation of socialism into the political structure, even as the parliamentary form is the outcome of nineteenth-century liberalism. Governments in England, France, Germany, and the United States are to-day complicated congeries of diverse agencies which cannot be called organs of the State, though they do speak in its name, while numerous industrial and other functional groups and unions contest the claims of the State. In the complex and troubled situation of the present transition, in which society is a body of inter-related and inter-acting wills, now one group dominating and now another, and the State exhibits all degrees of disintegration and corresponding powerlessness, the doctrine of political pluralism has its most outspoken advocates. In France, syndicalism has deserted the ideal of Marx whose purpose was the capture of the bourgeois State, and has gone back to the theories of Proudhon, who denies altogether its validity. Syndicalism demands the abolition of the State through its organisation of the syndicate of workers, the union of syndicates of the same town or region and the federation of these unions: it erects a system of its own controlled entirely by the workers. Sorel has become the apostle of the economic revolution, and has preached violence with great *éclat*, while men like Pelloutier and Griffuelhes have tried to develop this complete economic and social life for the worker outside the State.[1] In England, guild socialism is an interesting attempt to combine the virtues of the socialistic outlook with the merits of syndicalism, but it omits from the one its over-emphasis upon the political State and from the other its virtual denial to the consumer of any share in the government. Mr. Penty, Mr. Graham Wallas, Mr. Arthur Christensen, all envisage a bi-partite community governed industrially by a system of guilds,

[1] See Laski: *Harvard Law Review*, XXXI., p. 188.

which are hierarchically combined into a guilds congress, and politically by a system of geographical representation upon the lines of the House of Commons ; and Mr. G. D. H. Cole remains the best exponent of the case for democratisation of the great industry by the expansion of trade unionism. Mr. Ernest Barker, of London, who is a critic, and who as yet has formulated no definite system, is insistent that the traditional defence of parliamentary government has broken down ; while Dr. Figgis, who has especially pleaded the case for the Church, has also done much to dissipate the notion of an omni-competent State. In America, Mr. Harold Laski has taken over from his master Figgis his emphasis on the advantage of multiple, varied, and fresh developing groups for the enrichment of political life and from the guild socialists his scheme of an assembly representing the interests of production and controlled by labour to be established by the side of the national legislature, which will represent as at present the interest of consumption. Laski emphasises the limitations of the power of the State due to the existence of natural rights of groups and to the presence of functionally distinct self-governing bodies, and urges administrative decentralisation and the federal system ; while occupational representation has many distinguished advocates there, among them Professors Felix Adler and H. A. Overstreet.

Dangers of Syndicalism and Group Socialism.—All these schemes of industrial reconstruction, while they will bring more self-government into industry and seek to bridge over the gulf between the labourer and the capitalist, the unskilled proletariat and the specialised worker, labour under the disadvantage of repeating the social strife in another and perhaps a more extended field, by ranging the forces of production against the army of consumers and brain-workers. Syndicalism will substitute the economic control of minorities of producers for political and parliamentary control by the majority of consumers ; in which the power of a group would be measured not by its ability to convince the minority, but by its ability to coerce the majority by withholding the necessities of life. The idea

of the German Economic Council which is different from the Russian plan, and which represents producers, traders, consumers and professions with a certain territorial element, is more plausible; but it is too early to say how far the danger of syndicalism may be met by this compromise. The root-fallacy in such attempts consists in breaking up the "economic man" into divergent and conflicting fragments which refuse to reunite in the political order. Communalism avoids this fundamental error by a group-process which takes into account the whole man and fuses any divergent or conflicting interests by placing the individual in the communal centre and the communal interest in the centre of individual life. This is as important for ethics as for political science. Communalism starts with groups formed on this basis; these, being small local units, the solidarity or integration is easier and more real. The fusion that is attempted in all schemes of separate occupational representation at the top of the political machinery cannot be genuine; it will be merely formal and abstract and, therefore, dogmatic and doctrinaire.

Modern Western Group Theory.—Modern jurists like Duguit in France, Roscoe Pound in America, and the followers of Gierke and Maitland are also expounding a group theory of rights. Among them Duguit denies the State's sovereignty and personality, and the school of writers represented by Gierke in Germany and Maitland and Figgis in England assert the "reality" of the personality of corporations and deny that this personality is a mere figment of the jurist's brain. Duguit's conception of public law is essentially a social conception, in that public law no longer has as its object the regulation of the conflicts that arise between the subject right of the individual and the subjective right of a personified State; it simply aims at organising the achievements of the social function of government. The State is reduced to the position of a private citizen; the doctrine that the only justification for any command is that it results in social good involves the notion of the full responsibility of the State for its acts and the necessity of encouragement of private initiative, territorial decen-

tralisation and administrative and professional federalism.[1] There has been of late a bewildering development of groups within the body politic which are persistently demanding recognition in the governmental system. To interpret this group activity and influence, the new doctrines of the pluralistic State and the real personality of groups have arisen, while the task of incorporating this group-activity into the substance of the State, whether through group rather than regional representation in legislatures or by some other means, remains the greatest problem before social reformers to-day.

Modern Pluralism and its Fallacies.—Meanwhile, the stream of reaction against the methods and instruments of representative government has been fed by the increasing conflict of labour and capital, which demands that labour must have share in political power and in industrial government, and by the trend of philosophic thought towards pluralism and the whole anti-intellectualistic tendency. The influence of Bergson and Bertrand Russell's realistic, non-rational philosophy on the movement towards the new industry and the new society is not to be ignored. Nor can we neglect the influence of the new social psychology which interprets the development of institutions in terms of the evolution of the herd or group instinct,[2] or the emphasis of the factor of imitation as a constructive social force in the formation and multiplication of group-life and consciousness,[3] or that of play and choral movements, of team activity in the development of the plastic and musical arts of language and of convivial ceremonial institutions generally. The same emphasis of the group is to be seen in the new logic which views truth as the outcome of the pragmatic activity of the group-mind, or in the new metaphysics which seeks to establish a pluralistic universe, or again, in the new religious philosophy for which the absolute is but a corporation of souls.

The Freudian psychology gives a clear exposition of the process of integrating in the individual. Not by absorption

[1] Cf. Duguit; *The Law and the State*, p. 184.
[2] Trotter. [3] Tarde.

or reconciliation in the so-called Hegelian sense, but by interlocking and interpenetration can personality be evolved. Industrial, political, and international groups to-day are all "insane" and "degenerate." They show compromise and balance, sacrifice and suppression. The evils of suppression are rife in the present constitution of society in industrial compromise and forced acquiescence resulting in lock-outs and strikes; in an invertebrate coalition in the field of politics which results in political intrigue and unscrupulous power-grabbing; in international life, thwarted wishes are finding an outlet in the feverish increase of armaments, economic retaliation and the sowing of the seed of future wars. The problem of the future is to reconstruct society, so that there is on the one hand no suppressed impulse of individuals oriented in diverse groups, and on the other no dissociation of the groups themselves.

The new group psychology, the new ethics, the new sociology, and the new jurisprudence are based on a new conception of modes of association and of integrated individuals acting in groups, and are giving up the tattered garments of the figment of the isolated man; though, owing to an imperfect conception of synthesis, the sectional view of the social organism is reappearing in other guises. How often have the pluralists denied the worth of the individual or asserted the inherent rights of groups! The State is conceived as a non-moral mechanism, or, again, there is renewed an abstract morality with its inevitable individualism of conscience, which it is the great achievement of modern idealism to have overcome. Natural rights of individuals on the one hand and organised trade unionism on the other are reviving class war and class law.

In political life the ideals and methods of existing political democracy are repudiated and there increases the contest between an imperialism which backs economic expansion with political power, and a soviet democracy which subordinates political lines to class interest and practically abolishes the older political order.

In the management of industry how often has it been sought to constitute the committees and councils of work-

men only, without a recognition of the responsibility of capitalistic management? The trade union is sought to be directly represented in the State, neglecting the intimate workings of the constituent groups, and thus the labour organisations show the same evils of party politics as the political machine. Schemes of compulsory compensation or compulsory insurance are wrecked on account of an inadequate understanding of the group relations and group responsibility upon which these are based. Thus the fallacies of pluralism are twofold; it is based on a non-existent individual; or it leads to sectionalism, failing to achieve an integration of the vital modes of association which alone can evolve the corporate communal personality of the future.

Portent of the Russian Revolution.—Lastly, the Russian revolution and the organisation of the proletariat in the various soviets or councils throughout Middle and Eastern Europe have quickened the zeal for a new method of democracy which proposes direct government. To those nationalities in Eastern Europe which recently have won release, as well as to the subject peoples in Asia, the emergence of the new type of State in Russia out of the old group-organisation of communalism has been a portent. The new industry can be evolved without repeating the capitalistic régime, and the new democracy without going through the struggle of parties organised on the basis of economic classes. The nightmare of capitalism and class rule of the nineteenth century and the spectre of squalor and degradation of the Industrial Revolution, which have deluded the hopes of many an economic and political reformer, have melted away, and there is arising throughout Eastern Europe in radiant glory and freshness a new economic and social democracy out of the rural communes and village organisations of the old communalism, hitherto steeped in ignorance and exploited in the interests of finance, capital, and urban democracy. Unfortunately, the excesses of the bolsheviks, who now control the soviet structure, have obscured the real significance of the deepening of democracy achieved in Russia, and are encouraging appeals to the methods of revolutionary Marxism.

Politics not Simple.—In the socialist and even liberal camps in England and America there are people who believe in direct and simple political action, in spite of the evidence at hand from Germany and Russia in revolution, or from France and England in reconstruction; and the recent endeavours in Western Europe and the United States to base the State on group organisation are chequered and challenged by the repeated and over-simple attempts to transform the State by the ballot-box, and coercive national strikes.

Eastern Communal Democracy.—In the East the group-spirit has been always our master. It is the pillar of cloud by day and of fire by night—it is the spirit of Eastern communal democracy.

The East throughout has preserved the vitality of small local groups, giving opportunity to the humblest citizens organised in guilds, village communities, and communal assemblies for continuous political activity even in daily toil, economic functioning, or social intercourse. Occupational or functional representation has been the foundation on which the whole fabric of indigenous popular government in the East has rested; and there has emerged out of the voluntary co-operation of myriad groups the common idea, the collective will of the people, in which majority and minority ideas are closely interwoven. In South Indian villages, where there is more or less a differentiation and segregation of castes and occupations, each street of a particular caste has its own organisation, with a treasurer and an accountant, managing the communal funds, each maintaining its own temple, repairing its own streets and alleys, and attending to all other communal needs. Thus, in the internal economy of the village, an autonomous board, directing its particular craft or occupation, meets the communal needs or those of a particular caste people. This segregation, however, is by no means a universal feature; for, though there may be villages with their independent *kulalar-therus*, *kannalar-therus*, *agraharams* and *paracheris*, there are many where the segregation is not complete—where even in the village *panchayat* different caste people are represented; though, of course, an affair relating to a

particular caste is left ultimately to be settled by that caste itself. In many South Indian village communities the "untouchables" take part in the decisions of the village assembly, though there is social segregation. In Northern India they are a part and parcel of the rural economy and usually exempt from the hearth tax, while in every part they have a customary and recognised place in the procedure of temple services and religious processions and, in the Central Provinces, in the settlement of land disputes—possibly in recognition of their original right of possession, from which they have been ousted but without depriving them of the functions which now stand as survivals of their ancient status. Yet the depressed and "untouchable" classes have too long remained under a ban accentuated by semi-religious and specious doctrines which have increased their helplessness and improvidence. But they are of the stocks that till the soil or ply the handicrafts in this continent. They are thoroughbred stocks from the anthropologist's point of view, physically adapted to the environment, not decadent as so many of the civilised or over-civilised Indian races have come to be. They possess a pure manual dexterity like that of the Monbuttus and other Central African stocks ; and to this they add that instinctive choice of colour-patterns, the boon of the Indian sky and the Indian landscape to every people bred in their lap. They had supplied in part the foundations upon which the higher Indian civilisation was built in time long past, when they slowly came to its fold not merely in India but from much beyond its confines. For the pioneers of that civilisation tramped and camped out not merely in the jungles and on the hillsides of *terai* or peninsula in India as *gurus* to the original Negrito stocks of demon and serpent totems, then given over to black magic and cannibalistic orgies, but now transformed into the mildest, most moral and most temperate of peoples, but also had arrived before the Buddhist *bhikshus* in the *narikela dvipas* or palm isles of the Eastern Archipelago, and worked by their side in Serindia. They knew the secret of creating composite cults and cultures, civilising without conquest, without

displacement or extinction. Thus has been established the catholic doctrine of the truth of all scriptures and codes, of all *acharas* and *agamas*—relatively to the historical and social environment, even as in the polity an elaborate caste organisation, though it sought to avoid a close intercourse with strange and impure races, has given them important functions in the rural economy as the village watch and ward, irrigation men, agricultural labourers, or as sweepers in village temples and festivals. The Negrito or Munda-Dravidian culture has given to India the compact efficient village organisation, the *panchayat* system, the indigenous village police, the allotments of lands from common village settlements for village officials and servants, and the hierarchy of caste tribunals modelled after tribal administration; while vast hordes and numberless tribes from Ceylon to Far Cathay, from Madagascar to the Eastern Archipelago, from Central Asia to the Malay Peninsula, who came to be comprehended within the Indian culture, have exhibited some of these institutions which have their roots deep in India's prehistoric soil. In Burma, Siam, Annam, and the Malay Archipelago there flourish still the divisions of the tribal territory into a number of self-governing village communities each under a headman, with perhaps the supervening authority of stewards and accountants who represent the local chieftain's authority over the more primitive republican tribal type of village organisation in just the same way as they do within the confines of India, on the Chota Nagpur plateau, in the Central Provinces, or in the South-West of India inhabited by the primitive stocks. A compact tribal organisation subdivided into self-governing villages is met with among the primitive stocks in the East Indies and the Maoris of New Zealand, who are believed to be of Indian origin. These thoroughbred races multiply much faster than exotic and civilised breeds in the tropical and sub-tropical climates. Now they form three-tenths of the population of India, and a century hence they will form nine-tenths of its population.[1] It is a problem of tremen-

[1] Dr. Brajendra Nath Seal's presidential address at the Ninth Panchama Conference, Mysore, from which I have drawn freely in this connection.

dous significance for the civilisation of the East, and the problem can only be solved by finding out new ties of filiation between the more civilised stocks, the artificers of Indian civilisation, and these autochthonous peoples—the relationship at once of child and parent, in which the former stand to the latter and the latter to the former. Politically speaking, the whole problem of the future of South-East Asia lies in protective measures to secure the maintenance of the indigenous methods of tribal government by following the old Indian idea of decentralisation and gradual and assured admission into the Indian social system. This is far different from the rough methods of the European *conquistador*, trader and squatter, which have led to wholesale extermination of many a thoroughbred stock both in the West and the East Indies. It is for this reason that caste, village, or functional autonomy in interweaving and ever-expanding spheres of authority has been the rich, deep, and abiding subsoil of the Indian social constitution feeding the super-stratum even as the more civilised races of India virilise and renew themselves by incorporation with the more primitive races that have grown up in the sun-baked field and the flaming forge.

But though these latter have contributed in different degrees not only pigment of skin but also deep layers of human and sub-human instincts and of prehistoric cult, myth, or folklore, as well as systems of government, the mixed stocks which we call Aryan have built upon them an elaborate and spacious edifice which ought not to be disregarded in our modern advance towards representative democracy. That framework, with its synthetic assimilation and comprehension, and its complex co-ordination, must never be confounded with the rudiments of tribal self-government that invariably characterise primitive societies. For the Indian institutions have developed differentiated structures and functions of their own, while the characteristic tendency of all tribal institutions in the intermediate folk stage is to resolve into the original mass out of which they arise. Hence the councils of chieftains and elders in tribal communities, which are the repositories of tribal

customs, derive their authority direct from the primary bodies which are represented *per capita* or by heads of families, and not by organised classes, guilds, and castes, as in the Indian village assemblies and unions. A complex stage of differentiation and integration is also shown by the fact that customs and usages have grown up by an age-long voluntary co-operation of social groups which regulate the rights and duties of individuals to groups and communities and of groups and communities with one another, while there have also evolved permanent and constituted organs of the polity, and as we have seen even well-nigh definite and sometimes written rules of procedure. The origin of the Indian village and functional bodies is also far different from that of corresponding institutions in Western polity. The latter are the outcome of the delegation and delimitation of the central authority of the State. The former have, as we have shown, an independent origin and development, and the State here had often to treat them on terms of equality and recognise their pre-existing rights of conventions and agreements which operated as charters regulating their mutual relations. The system of political control which we evolved is as much less simple than that of the West as the organic and functional solidarity of our society is greater. The integration of diverse interests and functions, which was accomplished as a matter of tradition in a country containing so heterogeneous a congeries of races and varied levels of culture, is a much safer guide to the control of dominant sectional interests and functions in the polity than the recent Western schemes of functionalism and regionalism. In the castes of the artisan, the guilds of the trader and merchant, the professions and the brotherhoods, the village communities and the *samaj* (the non-local society), opportunity and scope were given and still exist for the interlocking and overlapping of diverse groups and group interests; and if vocational representation tended to crystallise the Eastern peoples into definite permanent groups it was due to the unchecked operation of extraneous forces of disruption and disintegration. In spite of the

special drawbacks to which communalism, in common with individualism or any other scheme of political life, is exposed, there is a good deal to learn from the technique that has been worked out and the method of political procedure that has been evolved by the East. While the Western experiment of delegation and representation would enable public opinion to be really more effective in the central government than at any time had been possible in the East, the East must keep alive her organisation of men in small local or non-local connections, and her characteristic method of blending diverse elements and interests as the secret of politics right from the very cells of the body-politic. The political pluralists of the West have not been able to solve satisfactorily the problem that will arise when the wills of the groups conflict with one another and with that of the State. In the East the traditions of the structure of communalism prevent allegiances competing with one another. Such traditions or norms form the very essence of Law which limits positively and negatively the powers of the governing body or the State. "There are, indeed, no sovereign rights or individual rights to maintain or harmonise. The fundamental fact, which is the basis of political life in the East, is that of social interdependence. Upon this fact is based the jural principle which limits all, governing and governed, and creates political duties only and not political rights."

Eastern Reconciliation of the Individual and the Group.—Law, according to the Hindu theory, sets the end and limit for the State, and the State is only the enforcing agent for the end set by the social purpose shared in by all individuals and groups. This reads as sentences from Duguit's *L'Etat*. Duguit is largely influenced by the solidarity doctrine of Durkheim, according to whom men form by nature a unitary group in which the interests of the individual are bound up with those of his fellows. That individuality grows with sociality is the most precious of Eastern experiences, and it has found institutional expression throughout the East, being incorporated into her characteristic types of communalistic law and polity.

Communalism encourages the unanimity of minds and wills of groups and would develop norms of social co-operation which protect society against absolutism in the State on the one hand, and the clash of group interests on the other. This is possible because communalism in the East represents, as we have seen, a principle of social grouping in which the including group stands not for partial, hypostasised interests of the segmented man, but for the concrete interest and representing the whole personality. On the other hand, the greatest difficulty of Western reformers has been both an increasing number of group loyalties, which actually and actively compete for mastery, and the absence of vitality in the local group organisation on which they have to depend ultimately for counteracting the rigidity of the party system and for creating a united will, a genuine public opinion. In the East the daily lives of the people are within the area of government through the myriad local bodies and village communes which exercise the restraining force of custom, and are a unification of group interests, and public opinion, in the realisation of a true community life. These are the original and essential foundations of Eastern polity, of an active, responsible and creative sociality. This alone can lift politics from a mere wrangle of opposing interests. The East has developed a good deal of organic or functional solidarity based upon social specialisation and division of labour. This furnishes the necessary guidance for the individual and the basis of social and political control. But, unlike the West, the occupational group does not here comprehend the majority of the interests of individuals. Extra-economic interests and values here have received a recognition in social structure denied to Western society that since the Industrial Revolution has come to be primarily industrial in its foundations. The family, the clan and the village gentry in China, the caste, the guild and the village community in India, are left by the State to settle their own problems. Within each function, again, there is some degree of representation and delegation. But, on the other hand, no effort has been made in recent reconstruction to relate

this socio-economic federalism to the categories of the political structure. In the social history of the East, the occupational group is placed in the harmonious setting of the village community which comprehends the diverse needs of specialised functional or professional groups and ministers to the varied needs of human life.

Potentialities of the Village Community.—The clan in China and the caste in India, again, have become too rigid and exclusive to become the bases of a system of political control. The village community is more general than the family, the kinship group, the guild or the professional association and brotherhood; it has enough plasticity and adaptability to complex and diverse conditions, if only we increase its importance. It is not only well adapted to enforce an adequate type of social and political control, but also its control will be more agreeable than the authority now inadequately exercised by the imported democracy, in that the individual is much more conscious of his interests in the village community than in the recently introduced electoral units. The most important fact in regard to it is not its narrowly local and exclusive economy, but rather that in the East it still gives evidence of possessing potentialities which can be developed by means of union and federation into a proper organ to deal successfully with the diversified problems and interests of a larger political life. It is not agriculture alone which supplies the basis of the functional differentiation, but a view of an ampler synthetic living which has created the diversity of groups enforcing social control even in the civic-industrial environment. Thus we see that the idea of a complete life dominates not only the grouping in village communities and occupational guilds, but also in cultural endeavours, as evidenced in religious *sanghas* and civic corporations. The traditional antagonism between the group-activity and individual liberty, both in village and civic, religious and social groupings, which critics of communalism may anticipate, is resolved on account of the fact that the Eastern social tradition embraces personal valuation in all its aspects as opposed to fragmentary

interests of Western occupational groups, and thus leaves enough scope for the development of the creative impulse. Is it too much to hope that Eastern experience, which thus seeks to set at rest the age-long conflict between individual and group, will furnish a clue to the future reconstruction of Western society, which, in its recent experiments of group organisation anarchistic or syndicalist, is still faced with the sphinx riddle?

Village Community both Functional and Territorial.—The most difficult thing for a foreigner to understand about the village community is that it is a functional and territorial group in one, representing and fulfilling common interests, economic, juridical and religious. The indigenous polity has expanded both in the area and the occupation lines and combined the geographical basis for certain types of problems, particularly those in which the interests of consumers is dominantly concerned, and the functional basis for working out a delimitation of occupation and profession, confiding the care of their problems to those most concerned in them. Recognition of control of areas and that of functions have fructified the normal life of politics and the adjustment of the two principles has been a matter of social tradition in the East. In the village community the two principles of administrative grouping have met together in a deeper political integration. In Western Europe the administrative problem is primarily one of functions, simply because the institutions of areas are—in England at least—reasonably adequate to their purpose, and because it is in the aspect of function that the possibilities of decentralisation are most strikingly manifest.[1] In the East also we have to combine in the system of politics the institutions of areas and those of functions, but the problem is simpler, since the materials we are given from the past make for a thorough decentralisation and at the same time for a more complex type of federalism. Instead of developing towards a centralised and bureaucratic parliamentarism it is necessary here to give State-recognition to the village communities and to those occupational,

[1] See Laski: *The Problem of Administrative Areas.*

communal and functional units which show a large measure of popular government internally, and to provide the means for unorganised units to pass into the stage of organisation and recognition in a federal and representative system. The village institutions of India and the system of rural and communal taxation reflect the desires of all the social classes and communities, and make politics a part of the life that is led by the mass of men ; the local problems of labour are focussed in the peasant democracy of the autonomous village communes. In Western Europe, on the other hand, the local institutions are in substance adjusted to a situation which, economically at any rate, is far from democratic ; there is a permanent divorce between the process of politics and the life lived by the ordinary citizen. The experience of England that local affairs do not ordinarily attract and evoke the best talent either in administrations or in electorates has been the basis for rejecting in India schemes of self-government which seek to build from below upwards by extending the powers of the lower bodies. It is forgotten that since the extinction of the old shire courts and the final destruction of the natural constituencies in England in 1885, local initiative has been impeded excepting in the case of sanitation and public health ; in India, the present centralisation has not been able as yet to supplant the indigenous local bodies and communal assemblies which have still kept alive civic creativeness, though municipal or district boards or village unions do not arouse any enthusiasm because they confer no real power and responsibility upon the people and are, on the other hand, often a source of irritation.

Natural Political Reconstruction for India.—In an agricultural society local affairs differ only in degree and not in kind from the problems of national or central government, and a scheme which does not build from the bottom will always result in interference and class rule from above : this has been a great mistake of the Montagu reforms. In India, it is significant that many of the sub-divisions introduced by British rule were formed for administrative convenience, and political boundaries were cut right across

the lines of language, race and tradition. We may rather prefer to see our older and essential divisions, *parganas, parhas, nadus, pattis, thapas* or *thoks*, or again, groups of eighty-two, forty-two, or twenty-four or twenty-two villages, oriented into small states embracing in a federal and representative system the hierarchy of indigenous local and functional bodies and associations; the small states to be controlled by a central government and to co-exist in a transitional stage as now with the present province, with two governments, the State and the provincial, below the central government. The restoration of the natural, social and political divisions and constituencies may be left to experience, which ought to take into account the character and distribution of the vestigial remains of the old framework as well as the changes in feeling and habits wrought by the new administrative creations. The group process must be made active where it is dormant and utilised as the mode of politics, in local affairs as well as in district or provincial electorates. There is no more powerful lever of reconstruction than this spontaneous group activity, which in ethnic and social history has created similarities in race, profession and social inheritance, and sets the limits and direction of political activity in natural groupings.[1] And yet the reforms ignore this vital element of political organisation and are enamoured of mechanical and artificial schemes that emanate too much from the desire to seek mere administrative convenience; they, therefore, evoke little feeling among the masses, though they satisfy a certain small and well-defined class which packs and directs the assembly, and speaks in the name of the people. Thus the oft-repeated inertia of the masses, far from being removed, is sought to be perpetuated and encouraged by the reforms.

Federalism, the Polity of the Future.—Democracy is neither a form of government, nor can it be granted or conferred by one nation to another. Genuine democratic control is always an evolution; the characteristic group organisation, the product of centuries of socio-political development, ought to be left free to develop collective ideas

[1] Cf. Seal Committee on Mysore Constitutional Development.

all along the line, whether in the East or in the West. To evolve the new polity or the new industrial democracy or the " sovereignty " of the League of Nations, or the Federation of Labour out of the *débris* of the old mechanical and wooden imperialism and its organs of exploitation, nothing is more important than to quicken the vitality of group process as the effective mode of practical policy in the political and international groupings of the future. The future belongs not to imperialism but to federalism ; and the secret of the federal spirit is the power of the group principle. Federalism is the essence of social grouping in the East. While representation will remedy the feebleness of political sovereignty and give the East the unified State, the continuity of the communal-federal tradition will enable her to use the political relations for an expanding scale of social, political, and international life and organisation, and to embody the moral will and spiritual purpose of All in tune with the larger ideals of humanity beyond the State and beyond even the social community which she will always stand for.

Political Task of West and East.—The great historic task of the Western, and especially the Anglo-Saxon, people has been to find reasoned expression of the democratic impulse by making the machinery of representative government, which, however, has broken down in spite of repeated mending. In the East our political life began and evolved in the small group, lending a significant richness to the local, communal, and vocational (or professional) life and interests hardly to be seen elsewhere. The world spirit demands that we shall to-day evolve our relation to a larger national life and consciousness through the system of delegation and responsibility. But we must address ourselves to this task with the materials that we have created and accumulated. Lord Bryce emphasises that when co-operation in the work of protecting and managing the affairs of the community is being organised, every actually existing kind of local self-government, however small its range, ought to be turned into account. Indeed, small areas are better than large areas. Thus the older rural cantons of Switzerland show

what self-government in a small community can do for forming political aptitude, and the same lesson is taught by the tithings and hundreds of early England and by the towns of early Massachusetts and Connecticut. The examples of these three countries suggest the value of primary meetings of the people in these small areas. The Folk Moot of old England, the Town Meeting of New England, the Thing of the Norsemen, were the beginning of freedom.[1] Can we not in the East use and renew the local and non-local assemblies in the framework of the new Polity? Could not the autonomous village communes and functional bodies be the categories into which the structure of the new representative government might be absorbed? We shall lift democracy from its external expression of representation to the expression of that inner meaning hidden in the intermingling of groups and communities in the daily, intimate life of that genuine and spiritual communion which comprehends and satisfies the minds and needs and life-values of all men.

True Path to Realisation of Democracy in India.—This is our task in the evolution of the democracy of the future. We do not know how long this evolution will take. What we fear is that the dominance of the middle-class and the landowner, which enters with the Montagu-Chelmsford Reforms in the name of responsible government, will not be for the good of an agricultural civilisation. We are convinced that in the East, with the example of recent Western experiments in group polity before us, we need not pass through the stage of middle-class supremacy that England and France passed through in the nineteenth century and pay its penalties. The communalistic State may be formed out of the present materials of local and communal democracy without going through bourgeois rule, even as the communal and guild system can pass into a co-operative form of industry without going through the capitalistic stage[2]; and, indeed, the problem of developing the communalistic State is intimately related to the problem

[1] Bryce: *Modern Democracies*, Chap. LXXI., p. 554.
[2] Cf. my *Principles of Comparative Economics*.

of counteracting a centralised industrialism, which develops at the expense of agriculture and drains away skill, wealth, and population from the villages to the towns. May we not restore by these social realities, these communal lives of the individual, the framework which has so unwisely been broken down by imprudent legislation and centralised government? Since the West is now on the threshold of a new epoch in the history of the State, could we not borrow from our own past the element of political organisation? Based on Western experience, the Montagu-Chelmsford Reforms do not fit the remoulding of Indian life. Why, again, do we borrow from the outworn political forms of the West? Is she not to-day treating her traditional institutions of modern government with scant respect and evolving towards a wider and deeper political synthesis? The large and centralised State, developed by the West in the last century, has now broken itself by its own mass, and this is an age of political creativeness and initiative in small communities. Even before the war the superiority in civilisation and culture of some of the small countries and states to the larger and centralised states was proved, and now the post-war political reconstruction in the larger communities is beginning group by group, region by region; and thus in the world-rise of movements towards decentralisation the long-depressed regions and provincial cities are seeking to renew their old freedom and completeness of life, and in this such material agencies as the motor-car, aeroplane, wireless telegraphy and telephony, are helping them towards decentralisation even as the movement to centralisation and consolidation was tremendously accelerated in the past by the concentrating and combining forces of steam and electricity.[1] The growing and world-wide criticism of the great centralised administrations has shown that for vast areas, organised under the principle of delegation and representation, the cleavage of parties comes to be the very essence of politics. Party government has proved everywhere a cause of great social waste and friction.

[1] Cf. Fisher: *The Value of Small States*; and Dewey: *Reconstruction in Philosophy.*

It was the war which brought to the fore this experience, and every country has sought to build up a central or national party, or again an invertebrate coalition, which was necessary in time of war, but proves intolerable in time of peace. Amidst the perplexities of party politics—for no longer does the old English doctrine of the two-party system hold good even in England, the mother of parliaments—the majority in the parliaments does not always represent the majority in the country; or at least it represents a group of minority parties who agree to act together in support of certain policies. The platforms of parties also differ comparatively little and their conflicts become less for principles and more for the spoils of office. Leadership becomes less manifest and concentrated, the groups become less differentiated, and discipline becomes relaxed even in England. Indeed, even the very striking difference between the English parliamentary organisation and the French group system is becoming less apparent. Thus the tangled game of cross parties and elections has proved the inadequacy of long-accepted methods of representative government. China and India among the Eastern peoples have yet retained the vigour and cohesion of their administrative and functional life sufficiently to warrant political reconstruction on the basis of Eastern political experience and tradition instead of imitating the political methods of the nineteenth-century West. Indeed, the importation of the latter will speed up the disintegration of the old agricultural communal solidarity and emphasise agrarian discontent, since the middle-class and the landlords depend on the existence and the perpetuation of a landless proletariat, a class new to the East, the outcome of fifty years of disruption of the old communal democracy. After all, in Eastern communities local affairs in villages will differ only in degree from affairs in the national or central government; and there will be a great increase of initiative, if the smaller units are entrusted with real powers of self-government, not those limited and qualified powers delegated to them from above—a half-measure which is at once discouraging and demoralising. At the same time the interfusion of

diverse and conflicting social elements in the local and functional bodies, if made really self-governing, will prevent class consciousness and party strife from being developed. Such local and functional bodies will correspond to the natural regions of the country, with some diversity of resources wherever possible, but homogeneous in social composition and in all cases with a well-defined central historical town and some connected cultural tradition. They renew those local customs, local literature, and local patriotism which are being obliterated by the steam-roller of an administrative uniformity, but which yet remain the enduring foundation of the reality and exuberance of regional life in India. Such bodies will be elected on the basis of both functional and territorial representation, as in the old Eastern tradition, for in the East it is not as mere wage-earners that the inhabitants of a region mainly count but as active participators in the building-up of a common culture, which involves not the mere juxtaposition of sectional interests and desires, but their co-ordination in common thought and judgment. Thus the franchise will be adapted as a part of tradition to the special needs and conditions in different cultural areas. Indeed, there will be ample room for experiments as regards the electorate and franchise basis, which in the local bodies as well as in larger federated assemblies will counteract such disadvantages as the narrow and sectional outlook of functionally organised units or the crude majority rule and lack of local attachment of the population franchise. This also will restore the balance in the internal structure and constitution of the polity. For the greater the integration of interests and functions in groups the less the necessity for their federation in larger associations. A partial segmentation of interests and functions in groups always necessitates a federation into larger units along the single line of group orientation, and the pressure of the other groups circumscribing their activities for their own special ends. Thus syndicalism, as a group of mere producers, is clamorous for an all-embracing, all-engulfing monstrosity, while ignoring the diverse interests of other classes of producers or consumers, or again those

of other spheres of activity. Similarly, the expansion of Eastern guilds into federations of provincial and even larger dimensions only emphasises the partial or incomplete nature of the interests and functions which guilds represent as compared with the organisation of the village community. Here the interests and feelings of the individual are broadened and integrated by his membership in multiple vital modes of association in the communes, while their interlocking and interpenetration due to the co-ordination of different attitudes and points of view in the regional units satisfy the needs of the complex social personality. It is for this reason that the organisation of the village commune does not emphasise the principle of growth by multiplication of units, though it is not averse from a larger combination for temporary purposes. It is a composite structure, and if it can follow its natural principle of growth its autonomy will be far more satisfying than the increase of power of social units by accretion and absorption, the characteristic feature of such Western programmes of reconstruction as guild socialism and syndicalism, which also start from the self-governed industry, trade, or occupation. Indeed, the distinctive and autonomous personality of the regional group precludes the very operation of the federal principle, by which the syndicalists and other social reformers seek to correct the insufficiency of their sectional groupings. To the bodies thus formed and integrated, will be entrusted a goodly share of local and functional administration and the control of local finance, and the district officer should be the helping hand, and not the all-sustaining arm. Local taxes will be revived and adapted to the needs and peculiarities of each area as in the old political tradition, and local and functional initiative will be harnessed to wider needs and interests. Already the village bodies and unions have been given certain powers, and these must be extended and widely used for fresh extension under the guidance of men who will be the real leaders of local life. Thus the communal regionalist State will revive and work its way towards a federation of republics of the Swiss pattern or after the manner of the ancient Indian or Greek city states,

continuing the healthy local feeling and functional allegiance which are far more vital traditions with us than anywhere else, giving to each region its traditions and patriotism, its separate language and institutions which express its personality and its distinct existence. Above all, the political organisation, because of its representation of intermingling functional feeling and interests in the bottom of the fabric, will not set up party tyranny while a regional *parishad* or university, a regional *samaj* or synod, a regional guild or chamber of commerce, built up on original and essential foundations, will be the solvent of class antagonism and rescue polity from a barren secularisation. The noblest products of India's civilisation, the temples, academies, monasteries, guild-houses, and town-halls were built by people who all live near them and had a voice in their finance and organisation, though they represented the most diverse sympathies and interests. And much of India's law was fashioned here, not with reference to the desires and interests of different castes, guilds, occupations, or functional or professional groups, but by deliberate common judgments which a great many intellectuals helped to form. And in complex and difficult cases, the assembly of the intellectuals met in the town-hall or temple-court either to sanction customs and precedents in the light of new experience and deliberate judgment, or, again, to apply the cold logic of reasoning to the sifting of customs and the application of the code of social values. As in the ancient Russian town assemblies and the Polish diet, unanimity was required; by which it was sought to establish that nice balance between expert knowledge and public opinion, between class desires and deliberate judgments, in the making of group decisions which is the best discipline in the strengthening of character in democracies. Arbitrary, high-handed use of social power, whether by the intellectuals or by an exclusive guild or economic class, was checked by that unity in moral and social ideas, and in ground pattern of life, which has worked so well in our peasant civilisation. The Eastern vision of our political future is not a dictatorship of the intellectuals, a bourgeois oligarchy, or a proletariat

autocracy, jealous of its class privileges and superimposed upon passive and inarticulate millions, but of a peasant democracy rising layer upon layer from the old and essential local and functional groupings, growing from district to provincial dimensions, and federated into a national assembly—a democracy which will revive the vitality of the village shrine and sacred tree under which it had its seat of old, and yet breathing a new and fresher spirit of active citizenship and sociality. We need not repeat in India the history of the Jacobins or the Chartists, or the march of the Blanketeers, or, again, the September massacres in France, or the bloody orgies and wasteful saturnalia of the Bolsheviks, which by their emphasis upon class cleavage could destroy social order only because the machinery of government could not co-ordinate the conflicting claims of different social classes. The dim rumblings of peasant class consciousness are audible to-day in India, and the justice of the paramount claims of the peasant proprietor in an agricultural civilisation demands that the life of the peasants must be organised on a rational basis in order to save India from the effects of the class theory of the urban proletariat being inculcated among the peasantry. The State must show the way towards the organisation of peasant communities in groups, unions, and federations, economic and political. This will prevent that increasing proletarisation of an agricultural people, which is feeding the fire of agrarian discontent, and will utilise the peasant spirit in useful and expanding channels of agricultural prosperity and social solidarity, where capital will no longer be exploitative and stand apart from the interests of landless labour. Only by avoiding everything that will cause the more isolated and independent organisation of labourers versus employers—for this intensifies the class-consciousness of both and can only result in more set crystallised forms of opposition—can we establish economic life on a broad co-operative basis in cities and villages, and thus prevent the assimilation of the peasantry with a low and proletarian consciousness. In co-operative organisations and village communes, in small farms and collective workshops, the tiller of the land, the

brain-worker, and the capitalist will meet in a partnership of creative activity, which will be the shield-armour against the attacks of profiteer and monopolist, financier or capitalist ; and the psychology of the hard-working peasant will counteract the purely bourgeois psychology which is fed by the present conflict between the village and the city, between the labourer and the capitalist, between the landlord and the landless peasant, or between the brain-worker and the hand-worker. More and more this conflict reflects itself in India in the political sphere in the contrast between an irresponsible central government and an indifferent and despairing rural community, between a class of power-seeking politicians, and a group of discontented though well-meaning political visionaries. There cannot be any doubt that this psychology is encouraged by a system of education moulded according to the ideals of the Victorian age, obsolete in its inspiration, and this has been the bane of all modern Indian movements in which the peasant mass point of view is seldom articulated. It is also plain that the effort of a foreign bureaucracy which is predominantly capitalistic in sympathy unconsciously delays the evolution of a peasant democracy in India. This is all the more true since the administrators show the dominant characteristics of the English middle-class. Thus it will be very long before this silent democracy of rural communes can reach a stage of articulate utterance in the counsels of the Empire and make itself felt in the general direction of social policy. The whole point seems to be that real self-determination, as distinguished from the new reform, whether in China or in India, implies an adaptation of institutions to our old habits and machinery, which remain the essential and imperishable bedrock of all political experiments. The present mechanism, wisely used, may, however, serve as the vehicle of transition to functional self-government in a federal and representative system on the basis of our indigenous bodies and unions, which may be oriented in a second chamber that will certainly be more active and self-conscious than the legislative assembly of recent creation.

Methods of Representation of Minorities—True and False.—This will build up not a medieval polity, but a State of the twentieth century mould, frankly recognising the representation of interest and functional groups in addition to territorial representation on a property basis, which alone can obviate class rule or mass revolt. But this applies only to the central and provincial legislatures. The local bodies will rise from the village communities as the primary units, continuing the Indian tradition of the blending of territorial and functional representation, with some methods of delegation and responsibility borrowed from the county council developments of the Western agricultural countries. It was this blending of sectional or communal interests which characterised the *gana* or the *puga* that embodied a relatively higher integration in ancient Indian popular government. The *puga* was based absolutely on territory, and unlike the guilds was composed of men of different castes and occupations but inhabiting the same village or town or sometimes larger areas covering even parts of different kingdoms. The *puga* was thus the federation of all sectional or communal assemblies and was invested with executive and judicial functions and other powers of government within the limits of its prescribed jurisdiction. We have noted already the close co-operation between caste and local assemblies and the significance of mixed *panchayats* resulting in differences in the scope of jurisdiction as regards local, occupational or communal matters. In the present system, however, the indigenous divisions or political units are set at nought, breaking all natural connections, and, with haphazard gerrymandering, the existing franchise and grouping in India accentuate communal differences and impair the integrity of the body politic because of the recognition of hereditary privileges or of religious and ethnic cleavages as such in the constitution of the legislative bodies, and the formation of electorates of exclusive minorities, which are rigid or stereotyped groups, not fluent or dynamic like the function or interest groups.

The party system with its new disintegrating influences

thus threatens to form an unholy alliance with the caste and ethnic stratification with its inherent abuses and to encourage discord and strife in the body politic. The admission of the communal principle into the new reforms has proved a special hindrance because its separatism has been countenanced, at the same time as the solidarity has been ignored which may evolve out of an intermingling of local and communal interests in the daily intimate life of the people. And, indeed, it is in this intermingling that political and social reforms can help each other. Political and social reforms are connected in a more organic way than the authors of the new Reforms realise, and in a process of natural social evolution unaffected by extraneous disturbing factors there cannot be any priority of either. Their real intimate interdependence will be perceived if there is growth from within, and not under external causation.

The problem of social growth and co-ordination is to discover the natural bent, and to obey the inner urge and not to submit to mere peripheral control and adjustment.

Schools of Political Reform.—The individualistic bias is dominant in Indian social and political thinking to-day. However inevitable and praiseworthy it might be as a reaction, it has failed, so far, in its fractional, critical attitude, to produce a constructive programme, which must needs be based on an essential communal solidarity. Thus one school, bred in the traditions of the nineteenth century English liberalism, believes that society can be reformed politically only by a rescue of the individual from the old framework of habits and traditions. Another school in its practical empiricism relies exclusively on a spontaneous adjustment of social to political forces. The first policy is mechanical and barren ; the second a policy of drift. Yet a third school has imported zest and intimacy into politics, but these it has derived from ethnic, cultural or religious cleavages. The first two have encouraged the disruption of the old and essential institutions, which but for them could have expanded into a democracy based upon a functional representation of a variety of interests, and these

schools have found a vigorous ally in the new Reforms. The third school has warped the administration of the new Reforms by the substitution of racial and religious for regional basis, which in the absence of a proper intermingling of interests and functions in the primary units has crystallised these differences into fixed and opposed modes of thought. Thus both communal representation by separate electorates or elections, as well as reservation of special seats in plural constituencies but with a general electoral roll, cannot but encourage separatist tendencies and mutual fears and suspicions, so detrimental to the growth of a larger and a more compelling solidarity in politics. But errors in applications do not vitiate the principle. In view of diverse and vital functional and occupational groups in India in different cultural layers and many independent communities with their different creeds, customs and systems of personal law, as well as traditions of self-government, there is need of their revival into living constituencies, the seed-beds of an active citizenship—not outside the State and as co-ordinate bodies as of old, nor, again, within the State but hardened into irreconcilable opposites; but grown into the substance of the State, which thus will be the heterogeneous community writ large. The representation of interests and functions on a non-communal and non-ethnic basis alone can counteract the disruptive forces which are now set at large under the present scheme, and speed up that intercourse between different castes and communities, whose fusion is the great task of Indian nationality. It is not easy to formulate a general plan which will be applicable to all provinces, but the plan should be such as would reflect in the body of the State the unrepresented attitudes that now stand out rebellious, and at the same time would encourage a freer mentality and a more generous partnership. The plan should not be fixed or rigid, but would have to be changed with a larger civic sense of the electorate. All this implies that such factors as voting strength, numerical population, index of literacy, revenue and incidence of taxation, the degree of political consciousness as

measured, for instance, by the vitality of associations bringing together a community scattered all over the country, ought all to be considered in the allocation of seats and this in a sliding, and perhaps differential, scale for different provinces. The postal vote also may be a useful device for the communities which now are unrepresented or under-represented. The present system of recognising an interest group only through intermediate Chambers, Associations and the like, may not be relied on exclusively, though at the same time the scheme should encourage grouping of associations of minorities in branches and sections following the time-honoured traditions of Eastern village and functional government. This will revive a normal feature of the ancient Eastern political evolution, that will achieve gradually an ever greater political influence and modify the political organisation accordingly. And this will evoke the socialising and federative aspect of each of these indigenous units of representation which will be rescued from their present rigidity and exclusiveness, and, in the re-awakening of the Eastern ideal of humanity and social solidarity beyond the group, will vitalise functionings in small as well as large bodies, under an expanding civic sense. It is in this manner alone that we can understand the meaning of democracy or reap its fruits. Thus alone will the East renew her ancient experience and tradition on the modern spiral, building her institutions in the harmonious setting of her organic and functional solidarity, and possibly aiding the West, too, in its coming political developments.

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